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**TRANSACTIONS**  
**OF THE**  
**ROYAL HISTORICAL SOCIETY**







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TRANSACTIONS  
OF THE  
ROYAL HISTORICAL SOCIETY.

*New Series.*

VOL. XIV.

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PLAN OF THE BATTLE OF DUNBAR. By PAYNE FISHER. *Frontispiece*

MAP SHOWING THE DISTRICTS OF THE TRIBAL HIDAGE. *To face p. 202*

• TRANSACTIONS  
OF THE  
ROYAL HISTORICAL SOCIETY

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PRESIDENTIAL ADDRESS

BY A. W. WARD, ESQ., LITT.D., LL.D., PRESIDENT

YOU must pardon me if my observations this afternoon betray, in a more marked degree than you may think appropriate in the President of your Society, the diffidence which is born of surprise. For it was a genuine surprise to me when in the course of last summer the Council of the Royal Historical Society did me the honour of nominating me their President—a nomination which you have now been good enough to confirm—in the place of a predecessor of high distinction. I was aware that before him this office had been filled by men of eminence either as historians or among those who have signally contributed to the making of history. The earliest name on the list is, I believe, that of an English classic whose venerated figure stands on a pillar 'wrought full sternely' among those consecrate in the House of Fame to illustrious historians, near the place of honour belonging to Gibbon himself. For, unlike to one another as he and Grote were from most points of view of philosophical thought, of political principle, and of literary taste, more than one analogy is traceable between the growths of their respective masterpieces. Each was the work of its author's mature manhood; each was carried out consecutively, with that consciousness of the goal in view which proportionates effort to progress, and

within a limit of years far outside of which unity of execution is virtually impossible. Thus, though in both instances the historian's conception of his theme was not only vast and comprehensive, but confessedly grew under his hands into its ultimate shape, the complete edifice stood square to the elements, and in the mortar 'which made the building sure' the ingredient of civic experience had not been omitted. As little prone as Gibbon himself to insularity of feeling—if he who liked to call himself a Swiss had occupied himself for two or three years with a history of the Helvetic Republics, Grote turned aside from the progress of his great work to a survey of the events which in his own day threatened the disruption of their Confederation—the historian of Greece, and of Athens in especial, had been partly formed by his share in English public life ; although, whatever cavils his at times exceptional breadth of treatment and his occasional lapses in verbal scholarship might provoke from academical censors, he moved with as familiar a foot in the halls and groves of the teachers as in the council and the *agora*. Thus his mighty task was absolved with rare thoroughness ; and, as may readily be granted by an age too much accustomed to fragmentariness—to the marble only half hewn out of the block, the story left half told, the harmony unevolved—in this very fact of *achievement* lay one of Grote's, as of Gibbon's, principal titles to enduring fame.

After Mr. Grote, the late Earl Russell (if I am correct) held the Presidency of this Society, which during his tenure of office was graciously permitted by Her Majesty to add the word 'Royal' to its titlature. The Inaugural Address delivered by him on June 27, 1872, remains on record in our 'Transactions ;' and though he had then already reached an advanced age—for he died full of years as of honours in the course of the same decade—it is in more than one respect characteristic of him. Throughout it breathes that inextinguishable love of liberty of which the traditions inherited by him at home were neither vague nor wanton, and were afterwards asserted by him with unflinching consistency in spheres of influence not always adequately prepared for

welcoming them. The address also exhibits its author's habitual courage in dealing with any topic—whether literary or other—that might present itself for comment. Yet it should be remembered, in common justice to this eminent man, first, that he was consistently true to his love of historical and other literature, and that indeed the beginnings of his political fame may be said to have been built up on the literary reputation which it was destined to eclipse. And again, inasmuch as he belonged to an age in which the scientific claims of history still slumbered, he would hardly have laid himself open to censure had he replied to the rather tedious question 'What is the use of history?' as four-fifths of the candidates for historical honours to whom it was propounded the other day at the Sorbonne are said to have replied, 'The promotion of patriotism.'

Lord Russell was succeeded in this chair by another statesman, whose striking personality must be present to the minds of many of my hearers, and of whom I feel it an honour to be able to speak as having for a brief time served under him when he held the Vice-Presidency at the Education Office. Whoever had the slightest acquaintance with the late Lord Aberdare's conduct of public affairs knew something of his determination and something of his loyalty. His varied experience and consummate faculty of chairmanship would in themselves have gone far to justify the choice of this Society, whose incorporation by Royal charter was, I take it, largely due to their exercise; but it was likewise indebted to him for many tokens of the warm personal interest which he felt in its purposes and progress. The late Lord Aberdare was not—indeed, uncommonly few of our public men in his generation were—to be numbered among students of history in any special sense; nor had the education of his younger days included any kind of technical training for the prosecution of historical research or for the practice of historical composition. But he soon acquired, and never abandoned, the habit of devoting a principal share of his private reading to historical subjects. Amidst the professional and public

labours of his early manhood and later life, by the sum of which he deserved so well of his country, his unvarying rule was to refresh and invigorate his intellectual powers by a constant resort to the best literature of his own country and that of other nations—those of Italy and France in especial—with whose tongues he was familiar. Of these studies historical reading formed an integral part; nor were his sympathies in this direction by any means solely determined either by the private associations or by the public duties of his life. I learn on the best authority that, while he had a passion for biography and memoirs, he was specially attracted by military history; and that the knowledge which he had acquired in this particular field, as well as the readiness of decision which other favourite pursuits of his may have helped to make habitual to him, was rather unexpectedly illustrated by the promptitude and clearness with which, as a member of the Committee on the Channel Tunnel scheme, he put and met instances of sudden declarations of war and similar knotty instances. He read largely, but not promiscuously; and the very circumstance that his literary preferences were for the masterpieces of the best period of English prose may account for his having regarded clear narration, sound judgment, and sense of proportion as the first requisites in historical composition. I can imagine his agreeing to the contention, that of all classes of writers the historian is most called upon always to write well—because his matter is nearly always difficult, and often obscure; and never to try to write *particularly* well, because he will then often add to this obscurity. Among his own papers I understand there has been found the sketch of an address delivered by him in his younger days with conspicuous success, though it might perhaps have found scant favour with his predecessor in this chair. It was a condemnation of Algernon Sidney for having contemplated the establishment of the system of government which approved itself to him, with the aid of foreign arms.

I should hardly be conforming to the usages of this or of similar societies were I to dwell on the many distinctions of



my immediate predecessor, the series of whose interesting Presidential Addresses closed only last year with an authoritative review, suggested by a recent translation of an older French work, of recent social and economical advances in our Indian Empire, in the administration of which he at one time took so prominent a part. This summary is not so brief as to be wanting in the critical note which adds a quick scintillation of its own to the luminous writing and speaking of Sir M. E. Grant Duff, to whatever historical or political topic he may choose to address himself. The earlier annual discourses of your late President are among the evidences of the fascination which classical antiquity exercises over the trained mind of the scholar, and which needs the stimulus of no new Renaissance to preserve its vitality. But there must be many 'unattached' students who, like myself, would be glad to acknowledge how much Sir M. E. Grant Duff has taught them as to the comparative treatment of quite modern history. I was a young professor, who needed a great deal of teaching, in the days of those *Surveys* of contemporary politics in various parts of the world by which, before he had submitted to the restraints of office, he was in the yearly habit of enlightening a much wider public than the constituency of the Elgin Burghs. Of course, the method as well as the purpose of these unique reviews was political; but the habit of investigating the origin and growth of political situations, at times of political crises, had matured a power of statement and elucidation which if applied to historical composition proper might have gone far to vindicate the force of Lessing's paradox cited by Gervinus: that he alone deserves to be called a historian who has written the history of his own times. On the other hand, few could have been better qualified for invalidating whatever significance may lurk in the companion paradox: that true success waits on those historical writers only who deal with the history of their own country. Yet the notion is one in which few Greeks or Romans would have perceived anything but an obvious truth; nor is the rule disproved by the exceptions to it. For to Polybius—a cap-

tive in more senses than one—it seemed to be the destiny of the inhabited world that Rome should prevail throughout its borders ; and Tacitus, the prophet of what he short-sightedly thought a hopeless decline, may be surmised to have designed his impressions of Germanic life and institutions as a Utopian commentary on the condition of things at home.

To learn, then, that it was proposed to nominate me for an office that had been held by predecessors of so much distinction might well come upon me as a surprise ; more especially when I remembered that in particular among your Vice-Presidents and the members of your Council there were many whose qualifications for the post were in various ways quite beyond the range of any possible pretensions of my own. A society united by a recognition common to all its members of the interest and importance of a great field of research and learning is one of that rarer class of republics whose citizens never grudge the right of precedence to those who have excelled. I could therefore only conjecture that if, notwithstanding, this honour had, unsought and unambitioned, descended to myself, it must have been for some simple reason of a different sort. Having lately resigned a very busy administrative position, I was doubtless supposed to have a good deal of leisure at my command, which, although the burden of the affairs of this Society falls on other shoulders, I might well devote to its meetings. At the same time, it has occurred to me as possible that the long spell of years during which I was allowed to call myself a professor of history might have told in my favour among the members of a Society founded, according to the preamble of its charter, with the general object of promoting historical studies. And I certainly think it the duty of every-one interested in higher education in this country—a cause which it can no longer be thought eccentric to identify with the cause of learning—to join as opportunity offers in urging the claims of the studies in question, which it has indeed never been impossible to ignore among us, but for which most remains to be done precisely where the opportunities for doing it are incomparable.

I need hardly say that, so far as this Society is concerned, nobody could more cordially than myself desire to acknowledge that it has at no time more effectively than of late sought to promote the study of history in the way—or rather in the ways, for they must at least be admitted to have been twofold—which it was primarily called upon to pursue. Your first title to confidence and support lies in your work as a publishing society, of which work the more immediate responsibility rests on the Publishing Committee of your Council and on your Director, who meets this responsibility in the generous spirit of true scholarship. I have only to glance at those of your ‘Publications’ which have reached me within the few months of my tenure of office, in order to assure myself of the vigorous progress recently made.

There is no more striking chapter in the history of the Counter-Reformation (under this aspect at least appropriately named) than that concerned with the strenuous efforts of Rome to recover what she had lost in our own country. These efforts were at one epoch sustained in an arduous struggle by visions of an overwhelming victory. Then, when the great blow of the Armada had failed (for this fact, at all events, the last revised version of its story has not disproved), they seemed to have become hopelessly identified with the cause of its propeller, the arch-foe of Elizabeth’s England. They revived indeed, after her death, in the forms of conspiracy and intrigue; but never, I think, without that blight of unreality upon them which, all environing fears and hopes notwithstanding, is an unmistakable symptom of predestined collapse. Of these last attempts the chief features are already familiar to us, as reproduced by Dr. Gardiner, partly with the aid of transcripts made at the Vatican; and though even in this quarter a good deal may remain to be gleaned by a further examination, there seems no reason for expecting, unless it were in particular points, any material revision of accepted conclusions. But the case is not quite the same with regard to the preceding period, which covers the last years of the great Queen’s reign. We know, of course,

how seriously the motive force of the Catholic Reaction was in England impeded by discussions, more especially among the clergy of the Church of Rome, and that its most prominent and best-equipped section, more militant than missionary, was by no means representative of the large majority of their body. But it remains, we may hope, for Dr. T. G. Law, with his rare command of a special field of later ecclesiastical history, to compose an exhaustive narrative of the bold Jesuit design of compelling English Catholicism into directly anti-national and in a word Spanish courses, and of the solid and (so far as the remnant of Elizabeth's reign was concerned) successful resistance opposed to it by the main body of the English Romanist clergy. These obscure but the reverse of languid transactions centred in the so-called arch-priest controversy, and culminated in the appeal to Pope Clement VIII. of the aggrieved anti-Jesuit majority. To conduct this appeal, certain of the 'moderate' leaders were temporarily released from prison by Queen Elizabeth—for in her later years the Church of Rome in England was 'the Church of the Prisons'; and the Papal brief, which, against what had at first seemed probable, substantially approved the resistance to the arch-priest's exercise of a questionable authority, itself controlled by the irrepressible Order, has a significance branching out into the general history of the contemporary policy of Rome. The very remarkable letters and other documents bearing on this controversy, found by Dr. Law among the Petyt MSS. in the Inner Temple Library, had been printed by him in one of the last of the volumes issued by the Camden Society before its union with the Royal Historical, together with a most instructive introduction; and this series has now been completed in one of the volumes of the publications issued by our Society for the year 1898, the greater part of the new volume being taken up by the narratives of the delegates charged with the prosecution of the appeal. No more interesting contribution could have been made to the materials out of which what I have termed the inner history of the Church of Rome in the period of her recovery has to be

constructed or reconstructed ; and none could throw a more searching light upon conflicts which have perturbed English Romanism even in days when it has worn a far less ruffled surface than in those of Father Parsons and his opponents.

Another important volume of our 'Publications' has been edited by Mr. C. H. Firth, who has not allowed the tercentenary which several of our foremost historical writers and political thinkers have, each in his own way, duly celebrated to pass without liberally meeting the call upon his own abundant resources. So far as this Society is concerned, he has, in addition to the original papers on military episodes contributed by him to our 'Transactions,' brought out a further volume of 'Clarke Papers,' in succession to those already edited by him for the Camden Society. Its contents date from the period beginning with the summer of 1651, when Clarke had remained behind in Scotland, during the completion of its subjugation by Monk and Deane, after Cromwell had marched south in pursuit of Charles II. Clarke's information about Scottish affairs having been already printed by Mr. Firth elsewhere, this volume chiefly deals with contemporary events in England, and consists for the most part of news-letters written by competent hands—John Rushworth's being among them—and intended to keep the chiefs of the army in Scotland informed of the course of events at home. We have therefore here an opportunity of studying the converse of a kind of news with which we are perhaps more familiar—news from the field, in the arrangement of which it often seems possible to detect consideration for the wishes of the recipients. For, as Mr. Firth puts it, the actual value of the news transmitted to Clarke is enhanced by the clue which its selection and tone furnish to the intention of the senders as representing the party of the army, and above all to the attitude taken up by that party towards the proceedings of Cromwell. The period covered by these news-letters begins with the expulsion of the Long Parliament, here told as an unobtrusive and almost humdrum piece of business, which could not but 'generally displease' members, but which left 'the people

very calm and pleasant, expecting great and good things to be speedily done for the nation.' Much is said concerning the proposal, first heard of in Parliament as far back as December 1657, to make the Protector King, which the army opposed throughout, but which Rushworth believed would be carried in spite of this opposition. The peremptory closing of the Parliament early in 1658, and the steps taken immediately afterwards to purge the army, show that it was a combination between the elements adverse to his policy in both bodies which Oliver rightly regarded as fatal, and which, with a full consciousness of the great issue at stake, he was resolved to avert; the tradition that to his appeal—'Let God judge between me and you'—many of the Commons answered by crying 'Amen' is here confirmed by contemporary testimony. Yet in matters of foreign policy he was allowed to have very much his own way; and this may help to account for the relative lightness with which the responsibility of decisions as to war or peace with other Powers sat upon a conscience that questions of another sort were capable of moving in its depths. These news-letters extend into the Protectorate of Richard Cromwell, bred though not born in the purple, and, notwithstanding the Hudibrastic caricature which Mr. Firth has prefixed to his volume, gifted with many of those graces and accomplishments which in tranquil times contribute to making royalty popular. But the army, whose spirit, so well understood by him, Oliver had been unable to quell, was not to be seduced by such attractions; and in Richard's case it was from the first enough to circulate the suggestion, of the truth of which there is no proof, that he was merely keeping warm the seat intended for Charles Stuart.

The third and last of our new volumes is Miss Mary Bateson's edition, prefaced by an admirably succinct introduction, of the Duke of Newcastle's farewell to office. It was a long farewell and a painful one, of which the circumstances are detailed in the series of letters *pour servir* addressed by the Duke to a veteran Whig M.P., and forming a sheaf in that garner of political information, the Newcastle papers in

the Museum. The earlier part of the narrative, in Newcastle's own voluble way, goes over the same ground as the material drawn up by the Duke of Cumberland, whose loyalty and shrewdness (qualities for which he ought to be given credit) on this occasion once more enabled him to render a service to the Crown. The object was to rid King George III. of the Grenville Ministry by means of a new Whig combination, centring either in the Pitt-Temple or in the Rockingham interest. But Temple was impossible, owing to his suspicions of the supposed designs of Bute—suspicions which Pitt, to do him justice, does not appear at the outset to have shared ; indeed, the current notions as to the relations between Pitt and Bute seem to need revision in more respects than one. The King therefore fell back upon the Rockinghams, and in the Ministry thus at last set upon its legs Newcastle for the last time held a high office of State—that of Lord Privy Seal. At the King's request he once more undertook the duty—a well-known anecdote prohibits our styling it the grateful duty—of making recommendations for high spiritual appointments ; and he would gladly have nominated for other offices as well, and in general have taken a leading part in ministerial business, but that his advice remained unasked. He seems, however, to have shown the sagacity which he at times unmistakably displayed even in matters of importance by insisting upon fresh overtures being made to Pitt. On the other hand, Pitt refused to enter any Ministry of which Newcastle was a member ; so that when at last, after divers shiftings in which the Duke of Grafton played a more patriotic part than has generally been supposed, Pitt (Chatham) became a member of the Grafton Ministry, constructed for the purpose of including him, the office chosen by him was no other than Newcastle's post of Privy Seal. His compulsory resignation of this office was not followed by the proffer of any other ; and he declares that, had it been made, nothing would have induced him to accept it. When unhappily the high hopes founded upon the Grafton-Chatham administration were disappointed in consequence of

Chatham's virtual self-elimination from it, a broader bottom became indispensable; and Newcastle perversely exerted himself to bring in the Grenvilles once more, and thus begin the doleful history of the last two years over again. But this was not to be, or indeed ever likely to be; and the decline and fall of his own political influence, boundless as its ramifications had seemed, was complete even when it was nearest to its source, and was reproachfully held up by him to the resentment of every Whig in Nottinghamshire. Although portions of these transactions are discussed by other accessible contemporary authorities, yet the relation at first hand edited by Miss Bateson is unique of its kind, and is not likely to be neglected by the historian—may he be near at hand—who shall shed a full light on the perturbed course of that ill-fated Administration, which some of our school histories continue with unconscious irony to describe as the second Ministry of the elder Pitt.

You will have gathered from the report of the Council that it has not lost sight of the wish, which has found repeated expression of late, that the Society were more frequently able to present its Fellows with a mediæval volume. So much, however, remains to be done to meet the demands of students of our earlier constitutional and economic history, by the publication in the first instance of unprinted official documents, that a consolidation of efforts in this direction, for which every now and then an opportunity offers, seems imperatively called for. The wider the area of support accorded to the Society, the more readily will it on such occasions be accepted as the natural nucleus of renewed and reorganised endeavour. In the meantime, its *Transactions* are full of diversified interest; and not only have the papers to which it has been my good fortune to listen either been based upon newly discovered material, or original in their treatment of that already known, but they have, I rejoice to say, included instances of specialised work by younger as well as by more experienced historical students. I advert in particular to the research in a very difficult subject by



last year's Alexander Medallist. Such contributions help to justify the hope that the beginnings made in the latter part of the Victorian age of a systematic study of history at our chief seats of learning will be carried further and range over a wider sphere in the immediate future. Great honour is due to those who have done half the work by beginning it ; and though want of time forbids my going into detail, you will not suppose me to ignore either what has been actually accomplished or what is now in process of accomplishment. At the present day—to say nothing of other Universities, though in some of these the change has been even more absolute—the examinations of the Oxford Modern History School and of the Cambridge Historical Tripos hold their own among the highest accepted tests of academical scholarship ; and in both Universities it is understood that in the training of historical students something more should be aimed at than knowledge which an examination can either test or weigh. In both places as much has recently been done as was possible, within the limits imposed by the meagre resources at the disposal of those responsible for the direction of University studies, to extend, amplify, and vary the lecture-courses, and to supplement them by the instruction—call it technical, if you like the word—that familiarises the student with the use of his materials, and the practical training that accustoms him to their use.

Of all this, on which I would willingly enlarge, supplementing my account by a reference to what has been attempted in younger seats of higher education, we are aware ; but we are not the less sensitive of what remains to be done, more especially here in London, the appointed chief repository of the records of our country's past, and, whether it choose or not, the true centre of the nation's intellectual activities. Let us grant at once that in any great political community such as ours its special conditions of life must affect the pursuit of research and learning, particularly in a field directly concerned with the growth of that life itself. In England we cannot expect—even were we fretted by any

eagerness—to emulate the varied and what seems to us minutely subdivided activity of the historical work carried on in the German universities, to a large extent rooted, by no fault or merit of the workers, in the historical divisions of the past, which no national patriotism of the present can render wholly fictitious. On the other hand, neither is London called upon to copy too closely the model of Paris, where, aided by time-honoured traditions, an extraordinary power of organisation has established side by side with one another a wider variety of institutions for advanced historical training than it could here be thought expedient to seek to call simultaneously into life. Still, though we must address ourselves to the solution of our own problems in our own way, and though our public archivists, librarians, and archæologists, a body of men whose unstinted services merit the highest admiration, should be called into counsel as well as our academical teachers, it cannot be amiss to pay some attention to the experience of our neighbours. As I can only touch on the subject here before I release you, I would commend to your notice the excellent series of reports on the progress of higher historical instruction in France, Germany, England, Belgium, and Holland, published last year by the distinguished Belgian historian, Professor Frédéricq. Part of the same ground was covered by a paper on the *École des Chartes* read before this Society in 1897 by Professor York Powell, and is brought up to date in an appendix to MM. Langlois and Seignobos' very suggestive 'Introduction to the Study of History,' of which an English version has recently been published by Mr. G. G. Berry.

The change which has come over the conduct of historical studies in the last half-century is of course not to be identified with any individual career; but no name is more closely associated with it than the honoured name of Ranke. The value of such a life's work as his is not subject to the whims and caprices of criticism, which he too has not escaped; and no discovery showing that *aliquando dormitabat*, or that he now and then allowed a rapid glance

through records to do duty for a close inspection of them, will lessen his claim upon the gratitude of posterity. But I am now only speaking of him as a teacher, and as the chief initiator of that system of teaching by co-operation which seems to have brought back to modern class-rooms the traditions derived by Italian art from Greek example. This system means a good deal more than a judicious combination of the tutorial and professorial methods, as to the necessity of which all reasonable persons are agreed ; for it implies correction, stimulus, and guidance in the execution of historical tasks—whereby the student, if not actually called upon to take part in his teacher's work, at least becomes familiar with its inner character and organic growth, and maybe assimilates something of that which animates and informs it. The significance of this innovation was widely insisted on by Ranke's pupils, who included a quite extraordinary proportion of the leading German historians for generation upon generation. No doubt later developments of the reform (which, by the way, were adopted neither at Berlin nor at Göttingen) ran a certain risk of sacrificing freedom of learning and teaching to a seminary system of not altogether propitious omen, and of prejudicing the free advance of what, not in the jargon of the laboratories but in the true sense of the term there as elsewhere, deserves to be called original research. Yet the adoption of the system in its main principles, and as supplemented by the institution among advanced students of history of those purely voluntary societies which so well suit the conditions of the highest kind of university life, has been the chief cause of the vast stride taken by the study of history in Germany during the last half-century.

In France, where for many reasons—among them the far earlier prevalence of an assured national self-consciousness, and the existence of facilities for a swifter organisation of whatever was calculated to nourish and sustain it—in France, where historical studies have (accordingly) been longer held in honour than in any other great country of Europe, the

progress of which I am speaking has been less uniform, but by no means less marked. Many and various as are the professorial lecture-courses in history announced on the blackboards of the German universities, it is reckoned that the number annually delivered at Paris is something like double that given in any one of them; and I need hardly say that the recent very notable progress of the provincial university system in France has materially added to the activity of the capital. Here—in Paris—the centres of advanced historical instruction have for some time past been so numerous that it is only within the last year or two that a beginning has been made towards co-ordinating them. In the *Sorbonne*, even before this crowning effort had been set on foot, good use had been made of the inevitable university tendency to regulate studies by examinations: the equal position of history among the subjects of these had been established; while the courses had been extended in every legitimate direction; younger blood had been introduced into the teaching body by the appointment of lecturers; and scholarships, necessary as giving permanence to this branch of academical work, had been endowed. In the *Collège de France*, though the list of distinguished historians who have held its chairs forms part of its most brilliant literary memories, students of history are accidental visitors, except in some of those smaller classes where eminent specialists address their discourses to the most select of publics. Very different is the case with the *École Normale Supérieure*, designed for the distinctive training of the highest kind of teachers, and only open to university graduates. This school, illustrious by its pupils as well as by its teachers, keeps its chief purpose in view by bestowing the greatest care upon the arrangement of its curriculum, and by devoting close attention alike to the practice of original historical composition and to that of advanced historical teaching. Without a corporate experience such as this school has undergone amidst many significant vicissitudes, the masters of method now at its head could hardly themselves have been

produced, nor would the indisputable excellences of French historical composition have become, what they are, consistently characteristic of this branch of the national literature. On the special uses of the *École des Chartes* Professor York Powell has made it unnecessary for me to dwell ; and I must resist the temptation of quoting from the Metternich Memoirs a very curious version of Napoleon's notions as to supplying its students with their materials. Professor York Powell informs us of the very moderate expenditure which later *régimes* have found adequate for working a school liberal enough to train its post-graduate students in auxiliary subjects of the utmost importance to all whose business lies with the documents of the national history ; but the backbone of the instruction is that which bears directly upon the earlier sources of French history, and upon the palæographical and diplomatic attainments qualifying for their use. These disciplines furnish the essential part of the equipment of those experts upon whose labours the construction of mediæval history in its turn directly or indirectly depends ; and in fostering them the *École des Chartes* carries on the traditions of a science on whose later as well as earlier efforts, though it can no longer claim a monopoly of them, French scholarship may well look back with predilection and pride. Our English *École des Chartes* has—at least till quite recently—been the school of self-help. Side by side with the work of the *École des Chartes*, directed specifically to the training of public archivists and librarians, that of the historical and philological section of the *École Pratique des Hautes Études* has been carried on at Paris for the last thirty-two years. (The date is noticeable ; for if any German inspirations contributed to the beginnings of a reform of higher education in France, they were sought out before the time of the great war.) Here the lecturing systems of *Sorbonne* and *Collège de France* are supplemented by a practical training extending over the whole range of history—in philosophy, archæology, epigraphy, and the like—which none but a genuine student would either desire or be fit to undergo. Though a normal three years' course was kept in view, the regulations for admis-

sion and attendance were wisely left elastic ; and the result has been an influx of frequenters desirous of supplementing the instruction of the other schools, together with not a few foreigners, and with some representatives of a class of learners which no system of higher education should altogether overlook—those who, whatever their age or position, will never learn to work as students so long as they can work at all.

These successful special schools, the *École Normale Supérieure*, the *École des Chartes*, the *École Pratique des Hautes Études*, with their diplomas and *brevets*, the reorganised University of Paris is now including as independent *instituts* in its general system ; two of them have found a home within the *Sorbonne* ; and together with its facultative organisation they will form a historical section to whose future achievements France—and not France alone—looks forward with high hopes. As for ourselves here in London, these hopes at present remain alloyed by the thought of our own unused resources and neglected opportunities. How sincerely should I rejoice were it my good fortune, on some future occasion when I may have the honour of addressing you, to record, not that something similar to what I have described has been accomplished in London—for great schools are not stamped forth from the earth, any more than great armies—but that the initial step towards the accomplishment of something similar has been taken here. An admirable example of how to take such a first step has been lately set by those interested in a closely allied branch of studies, who have rendered a real service to the progress of Economic Science in this country by formulating and by steadily carrying out during the last few years a comprehensive but definite scheme of work. This school will find its place within the new or greater University of London. May it not be long before a beginning is made to prepare a place by its side for a School of Advanced Historical Training !

## THE BATTLE OF DUNBAR

By C. H. FIRTH, M.A.

*Read Nov. 16, 1899*

THE battle of Dunbar has been so often described, that it is a bold undertaking to attempt to describe it again. My only excuse is that a careful study of the old evidence on which the accounts of the battle are based, and the discovery of a new piece of evidence, have led me to believe that the battle was fought in rather a different way, and that the two armies were posted in rather a different position, from what is generally supposed. And, having carefully examined the ground and turned over the evidence again and again, I am the more confirmed in the view which I wish to lay before you. Whether I can succeed in proving my theory or not, it is for historians to judge, but at all events it is sufficiently new to be worth stating.

The orthodox or received view of the battle may be briefly stated as follows : That the English army was posted on the Dunbar side of the Brock or Brocksburn, arranged in battle order, as Carlyle says, 'along the left bank of the Brocksburn and its grassy glen.' That the Scottish army was arrayed along the opposite bank or Berwick side of the burn. That the battle consisted in Cromwell's forcing his way across the stream and ravine in face of the opposition of the Scots. And finally that the real battle, or what Carlyle terms 'the brunt or essential agony of the battle of Dunbar,' took place just where the London road now crosses the stream.

The view put forward in this paper is : That the fighting



which took place at the crossing of the stream was merely a preliminary to the real battle : That in the real battle which followed the two armies were posted at right angles to the stream ; both were on the Berwick side of the stream, the English right resting on it, and the Scottish left resting on it ; the English with their backs to the sea, the Scots with their backs to the hill : Lastly, that the real site of the ' essential agony of the battle of Dunbar ' is a mile or so from the place where the London road crosses the stream, and is somewhere between the road and the hill.

The new piece of evidence I have to bring forward is a contemporary plan or picture of the battle, something like the picture-plan of the battle of Naseby given in Rushworth's *Collections* and in Sprigge's *Anglia Rediviva*. Picture-plans of this kind are common in the accounts of seventeenth-century wars, both English and foreign, and in the absence of battle-plans of the modern type they are often of great value. This plan of Dunbar is preserved in the Sutherland 'Clarendon' in the Bodleian Library, but has not been noticed or not sufficiently studied by historians.

At first I was inclined to regard it as a mere fancy picture, curious and interesting, but of no particular authority. On examination it appeared that a number of details it contained did represent incidents and movements which actually occurred in the battle, and it became a question whether its representation of the general position of the two armies was also correct. For it represented the two armies as drawn up, not in the position which modern accounts of the battle had accepted as correct, but in the very different position described above.

Next came the question who was the author of the map, and what knowledge he possessed of the history of the battle. The map is dedicated to the Lord Protector Oliver Cromwell, and a long Latin inscription is printed at the top of it, in which the author gives his name as F. F. This F. F. was undoubtedly a certain Payne Fisher, who is referred to call himself, Fitz-Payne Fisher. Fisher was born at Hart Hall, Oxford,



and at Magdalene College, Cambridge. He then became a soldier of fortune in the Netherlands, served afterwards in the army raised by Charles I. against the Scots, and in the army raised to put down the Irish rebellion. He fought on the King's side at the battle of Marston Moor.

After the great civil war was over Fisher maintained himself as best he could by his pen, and, abandoning his royalist principles, began to celebrate the victories of the opposite party. Having a great facility in writing Latin verses, he wrote a poem in four books on the battle of Marston Moor, besides panegyrics or congratulatory verses addressed to Cromwell, Ireton, Bradshaw, Ludlow, and other republican leaders.

In 1652 a new idea occurred to Fisher. Thomas May, the historiographer of the Long Parliament, was dead, and the Government was looking out for someone to continue his work. It occurred to Fisher to turn historian, and he undertook to write an account of the victories of the republican arms, and in particular of the conquest of Scotland. The Council of State welcomed the idea, granted him a hundred pounds, and recommended him to the commander-in-chief in Scotland.<sup>1</sup>

When Fisher arrived in Scotland he presented a petition to the commander-in-chief there, saying that, in accordance with the wishes of the Council and in obedience to his own sense of duty to his country, he was 'determined to write and faithfully transmit to posterity the transactions and matchless achievements of your armie in this last expedition.'

In order that he might be able to write 'the exact truth of those transactions,' he asked the commander-in-chief to instruct the officers in Scotland to assist him by supplying the necessary information. He suggested that orders should be given to every regiment 'to draw up a compendious abstract of all the military remarkable passages that have occurred in each respective regiment, from their first advance in this country to this instant.' In addition he requested :

'That from every regiment a topographical description be drawn (either with ink or black lead) of the most eminent

<sup>1</sup> *Cal. State Papers*, Dom. 1651-2, p. 366.

castles, citadels, forts, with their several situations, as also a slight draught or representation of the chieftest battailes ; to the end that they may be afterward more lively engraven in copper, to be placed between the divisions of each Idilia or section, that thence the History may be illustrated with more perspicuity, being soe set forth and made visibly obvious to all spectatours.'

Fisher obtained his wish.<sup>1</sup> The commander-in-chief recommended him to the colonels of the different regiments quartered in Scotland, telling them to give him information about 'such military passages as had come under your observation,' and also to give him 'free and liberal encouragement' of a pecuniary kind to enable him to finish his history. But though Fisher got free quarters, some subscriptions, and probably plenty of information, he never finished his history. The only trace of it in existence is this 'slight draught or representation' of the battle of Dunbar, which was to have been one of the illustrations of the history.<sup>2</sup> At some period during the Protectorate he had it engraved and presented it to Cromwell, no doubt on one of the anniversaries of the battle, or at one of the annual celebrations of the inauguration of Cromwell as Protector.

The bearing of these facts on the question of the authority to be attached to this picture-plan is obvious.

In the first place, though Fisher was a contemptible scribbler, yet, having been a soldier, he was not likely to produce a plan which had no relation to the actual facts of the battle.

In the second place, he had access to the best possible information which could be obtained about the battle—namely, the recollections of the men who actually took part in the battle, and that within two years of the event.

In the third place, as he dedicated and presented his

<sup>1</sup> *Scotland and the Commonwealth*, pp. 74-77.

<sup>2</sup> Fisher also drew up 'A perfect Registry of all the Colours taken from the Scots at Dunbar' (MS. Harleian, 1,460). See Mackinnon's *Coldstream Guards*, i. 25.

picture-plan to the general who commanded in the battle, it is probable that the plan in its main lines represented what actually happened, or at all events was intended to represent it with tolerable fidelity.

Lastly, the arrangement of the two armies suggested in Fisher's plan is confirmed by many passages in the older authorities.

In the following account, therefore, I shall attempt to combine the information given by Fisher's map with that supplied by contemporary narratives of the battle.

But first of all it is necessary briefly to consider the composition and the strength of the two armies which fought at Dunbar.

The Scottish army was large in numbers, but much of it was newly raised. The standing army of Scotland in June 1650 consisted of 2,500 horse and 3,000 foot. In July 1650, when it became obvious that war was impending, an Act of Levies was passed, raising about 30,000 fresh men, so many from each county. The first division of these levies amounted to 9,749 foot and 2,882 horse, the second came to about 23,000 horse and foot.<sup>1</sup> So that the total forces of Scotland when these levies were carried out should have amounted to about 35,000 men, besides the standing army of 5,500. In July 1651 the English newspapers stated that the Scottish army was 27,000 foot and 5,000 horse.<sup>2</sup>

It must not be supposed that these new levies were entirely composed of raw recruits. A considerable number of them were undoubtedly soldiers who had served in the different Scottish armies which had invaded England, or in the wars against Montrose. But though there were many old soldiers in the ranks, these newly raised regiments were far from being as efficient as Cromwell's regiments, nearly all of which had been in existence for several years.

The Scottish army engaged at Dunbar was about double

<sup>1</sup> Walker, *Historical Discourses*, p. 160; Balfour, *Annals*, iv. 58, 70, cf. p. 81.

<sup>2</sup> *Cromwelliana*, pp. 82, 83.

the size of the English army. In a letter dated July 30 Cromwell says that in his opinion the enemy was 'not less than six or seven thousand horse, and 14,000 or 15,000 foot. The reason I hear they give out to their people why they do not fight us, is because they expect many bodies of men more out of the North of Scotland, which when they come they give out they will then engage.' Some of these reinforcements joined Leslie before Dunbar. Cromwell speaks of 'the addition of three new regiments' to the enemy's force at the end of August, 'which did much heighten their confidence.' He estimates the Scottish army in the battle at 6,000 horse and 16,000 foot. Sir Edward Walker, whose information came from Scottish sources, says 7,000 horse and 16,000 foot, so that Cromwell's figures may be accepted as a tolerably accurate estimate.<sup>1</sup>

Cromwell entered Scotland on July 22, 1650, with an army which numbered, according to a muster taken at the time, over 16,000 men. It consisted of eight regiments of horse: Cromwell's own regiment, Lambert's, Fleetwood's, Whalley's, Hacker's, Lilburne's, Twisleton's, and Okey's dragoons. He had also eight regiments of foot: his own under Lieut.-Colonel Goffe, and those of Pride, Bright, Mauleverer, Fairfax, Cox, Daniel, and Monk. The horse, including the officers, came to 5,415 men, each regiment consisting of 600 troopers. The foot amounted to 10,249 men and officers, being about 1,200 per regiment exclusive of officers. The train and artillery numbered 690 men, making a grand total of 16,354.<sup>2</sup>

In the six weeks' campaign against Leslie which inter-

<sup>1</sup> Carlyle, Letters cxxv. and cxi. Cf. *Memoirs of Captain Hodgson*, ed. 1806, pp. 207, 256; Walker, *Historical Discourses*, p. 181. Cadwell, the messenger, says: 'Their army consisted of eighteen regiments of foot, which together with horse made, as themselves say, 27,000' (Carte, i. 381). As 180 colours of foot are said to have been taken, it is quite possible that there were as many as eighteen regiments. A list of the regiments engaged is in the Harleian MSS. (printed in Mackinnon's *Coldstream Guards*, i. 23). It enumerates fifteen regiments of foot and nineteen of horse.

<sup>2</sup> *Cromwelliana*, p. 85; the names of the regiments are given in the *State Papers* and in the accounts of the campaign.

vened between Cromwell's entrance into Scotland and the battle of Dunbar he lost, not so much from fighting as from sickness, between 4,000 and 5,000 men. The highest estimate of the English army at Dunbar is that of Cadwell, the messenger who brought the news of the victory to the Council of State. He says 'our army was but 12,000.' According to Cromwell, his army was 'drawn down, as to sound men, to about 7,500 foot and 3,500 horse.'<sup>1</sup>

The greatness of Cromwell's losses from sickness is continually referred to. The 'honourable commander' whose account of Dunbar is printed in *Mercurius Politicus* describes the condition of the army before that battle in the gloomiest language. 'Our bodies [were] enfeebled with fluxes, our strength wasted with watchings; want of drink, wet, and cold, being our continual companions, much impaired our strength and courage and made altogether useless above 2,000 men, which at severall times we were forced to send to Berwick.'<sup>2</sup> Many men who were not sent away must have been unfit for service when the battle took place, for the sickness showed no sign of abating after the army reached Dunbar. 'Our lying here daily consumeth our men, who fall sick beyond imagination,' wrote Cromwell to Haselrig on September 2.<sup>3</sup>

There were two causes for this prevalence of disease in the English camp. The summer was very wet,<sup>4</sup> and during the early part of the campaign Cromwell's soldiers had no tents, nor were tents supplied to them until August 13.<sup>5</sup> 'Wet weather and want of provisions,' wrote a newspaper correspondent, 'will make Captain Cold and Captain Hunger

<sup>1</sup> Carlyle, Letter cxl.

<sup>2</sup> *Mercurius Politicus*, p. 227, September 12-19, 1650. Rushworth, in a letter dated September 3, says that he had personally superintended the shipping of 1,400 sick (*Old Parliamentary History*, xix. 341). Cromwell says that 500 sick and wounded were embarked at Musselburgh on August 30 (Carlyle, Letter cxl.).

<sup>3</sup> Carlyle, Letter cxxxix.

<sup>4</sup> On the rain see Hodgson's *Memoirs*, ed. 1806, pp. 137, 211, 227, 234, 243, 263.

<sup>5</sup> Terry, *Life of Alexander Leslie, Earl of Leven*, p. 466.

much injure the army,' and his prediction was correct.<sup>1</sup> Provisions often ran short, for the army was mainly supplied by sea, and the storeships were often detained by contrary winds, or were prevented by the weather from landing their freight.<sup>2</sup> Throughout the whole campaign, therefore, want of food aggravated the sickness which exposure and hardships had caused.

After about five weeks' campaigning, finding himself unable to bring Leslie to battle, Cromwell resolved to retreat. A council of war was held on the night of August 30 at Musselburgh. 'Upon serious consideration,' says Cromwell, 'finding our weakness so to increase and the enemy lying upon his advantages, it was thought fit to march to Dunbar and there to fortify the town.' For this decision he gives four reasons. First, that it would probably provoke the Scots to engage. Secondly, 'that the having a garrison there would furnish us with accommodation for our sick men.' Thirdly, that it would be 'a place for a good magazine,' which was exceedingly needed, as there was no good harbour between Leith and Berwick, and it was often impossible to land supplies from ships in rough weather. Fourthly, that Dunbar was a convenient place for the reception of the reinforcements of horse and foot expected from Berwick.<sup>3</sup>

<sup>1</sup> *Cromwelliana*, p. 85.

<sup>2</sup> See *Memoirs of Captain Hodgson*, pp. 225, 227, 244, 263, 266, and Carlyle, Letter cxi. Colonel Baldock, who calls attention to the importance of this factor in the history of the campaign, says that Cromwell did not pay sufficient attention to his communications. 'In this case he trusted to his ships to form fresh bases as he advanced close at hand. But his armies depended principally, not only for supplies but also for transport, on the country through which they passed. By Leslie's precautions Scotland afforded him neither. Consequently, directly he attempted to move away from the coast, he was brought back again, not so much from want of bread, which the ships could probably have supplied in large quantities, but for lack of means of carrying it. Every endeavour should therefore have been made to keep the land communications open, if only to get up a sufficiency of land transport. There seems to have been no lack of forage for the transport animals, as there was much unripe and uncut corn in the fields. There was therefore no difficulty on that score. Without sufficient land transport the English army was sadly hampered.' (Baldock, *Cromwell as a Soldier*, p. 454; cf. pp. 431, 435, 437, 438.) Most English armies during this period seem to have been equally defective in their transport and commissariat arrangements.

<sup>3</sup> Carlyle, Letter cxi.; Hodgson, p. 267, ed. 1806.

On the next day, August 31,<sup>1</sup> the English army marched to Haddington. Leslie pursued with great vigour, and Cromwell's rearguard of horse was in serious danger. 'They fell upon the rear portion of horse,' says Cromwell, 'and put it in some disorder, and indeed had like to have engaged our rear brigade of horse with their whole army, had not the Lord by his providence put a cloud over the moon, thereby giving us opportunity to draw off those horse to the rest of the army, which was accordingly done without any loss, save of three or four of our aforementioned forlorn.' So eager were the Scots that the same night, 'towards midnight, the enemy attempted our quarters on the west end of Haddington, but through the goodness of God we repulsed them.'<sup>2</sup>

Next morning—that is, Sunday, September 1—Cromwell offered battle. 'We drew,' he writes, 'into an open field on the south side of Haddington; we not judging it safe for us to draw to the enemy upon his own grounds, he being prepossessed thereof, but rather drew back to give him way to come to us, if he had so thought fit; and having waited about the space of four hours to see if he would come to us and not finding any inclination in the enemy so to do, we resolved to go, according to our first intendment, to Dunbar.'<sup>3</sup>

<sup>1</sup> 'Saturday the 30th of August,' says Cromwell by mistake, Saturday being the 31st.

<sup>2</sup> Carlyle, Letter cxi. Compare the letter in *Mercurius Politicus*, September 12-19, p. 227. 'The enemy (unknowne to us) attended upon our right wing, and in the evening drew up a strong party upon our rear-guard, and might probably have spoyled them, if not providentially prevented by the overshadowing clouds, which so eclipsed the moone as thereby a period was put to the enemie's motion untill the sky was cleared, and then they fell into our quarters with a resolute party, and were as resolutely received by Coll. Fairfax his regiment, which (after an houre's dispute) put the repulse upon them.' See also Hodgson, p. 277, where it is said that the attack was made by 'a party of mounted musketeers,' and Cadwell's account in Carte's *Original Letters*, i. 381.

<sup>3</sup> Carlyle, Letter cxi.

'Finding the Scottish army so close and advantageously drawn up at the west end of the towne, wee drew forth eastward in a fair and equal field for both armies to have engaged in,' says the letter of 'an honourable commander' printed in *Mercurius Politicus*, p. 227. 'The next morning was the Sabbath, and our officers were consulting on which side of the town to fight them; and drawing several regiments to the west side of the town, we were presently ordered to

When Leslie saw Cromwell's army continue its march to Dunbar, he followed with his whole army, threatening to engage its rear at the first opportunity, as he had attempted to do the previous day. 'By the time we had marched three or four miles, we saw some bodies of the enemy's horse draw out of their quarters; and by that time our carriages were gotten near Dunbar, their whole army was upon their march after us; and indeed our drawing back in this manner, with the addition of three new regiments added to them, did much heighten their confidence, if not presumption and arrogance.'<sup>1</sup>

Approaching Dunbar, Leslie kept inland to the hills, instead of following the coast road by which the English army marched, and established himself on Doon Hill, at the base of and overlooking the Dunbar peninsula, and about two miles from the town.<sup>2</sup> In this position he was practically unassailable. The side of the hill overlooking Dunbar was too steep to be assaulted, and the ravine through which the Brock burn ran from the hill to the sea formed a further obstacle. At the same time he could assail Cromwell if he chose. From the western extremity of the hill he could march

retreat and to leave the town of Haddington betwixt us. We staid until about ten o'clock, had been at prayer in several regiments, sent away our waggons and carriages towards Dunbar, and not long afterwards marched, a poor, shattered, hungry, discouraged army; and the Scots pursued very close, that our rearguard had much ado to secure our poor weak foot that was not able to march up. We drew near Dunbar towards night and the Scots ready to fall upon our rear: two guns played upon them, and so they drew off and left us that night, having got us into a pound as they reckoned.' (Hodgson, p. 143.)

<sup>1</sup> Carlyle, Letter cxi.

'The enemy marched about two miles distant in the rear,' says *A True Relation of the Routing of the Scottish Army*. 'The enemy pressing close to the rear of ours, within a mile and sometimes within half a mile of ours,' says Cadwell, the messenger (Carte, *Original Letters*, i. 381). 'They pursued us close within a mile and a half, and upon a passe, endeavoured to have (as we supposed) fallen upon our rear; which we observing (not having received orders what ground to draw upon) were in some disorder; but finding the enemy in good earnest, we faced about to have fought them. Whereupon they drew off to the hills.' (*Mercurius Politicus*, p. 227.)

<sup>2</sup> 'The enemy flankt us upon the hills on the right hand, where they lay all night within a mile of our army' (*A True Relation*, Hodgson, p. 276). 'The enemy, following them close, drew up their whole army on a high hill within a mile of the town' (Cadwell, Carte, i. 381).



straight down upon Dunbar. From the eastern he could descend either to bar Cromwell's march to England or to harass his rear as he struggled towards Berwick. Which of these courses he would adopt Cromwell could not at first discover.

At first Cromwell expected a direct attack from Leslie, and on his arrival at Dunbar encamped his army in the fields between the town and the hill. Cadwell, the messenger, describes the English army as 'standing in battalia in the town fields, between the Scotch army and the town, ready to engage.' The guns and the train were at first placed in the churchyard which was outside the town. Cadwell describes the church as standing at the town's end, being fifty yards from any house towards Berwick. Later the same night the train 'was taken out of the churchyard again, and placed at a farmhouse in the middle of the fields where the army lay.'<sup>1</sup> These details about the first position taken up by Cromwell's army are confirmed by Payne Fisher's plan, which shows the isolated church, the churchyard in which the train was originally lodged, and the tents of the English camp in the town fields.<sup>2</sup> It shows also a farmhouse not far off, which is possibly the one referred to in Cadwell's narrative.<sup>3</sup>

Next morning Cromwell expected Leslie to come down from the western extremity of Doon Hill to attack him. 'All Monday September 2 our men stood in battalia in the field; we could not go up to engage the enemy by reason of the hill, nor would they come down to give us battle.'<sup>4</sup> 'The Lord General, Major-General Lambert, and Lieutenant-General Fleetwood,' says another account, 'spent most of Monday in drawing our army (in the ground where they stood) in battalia.'<sup>5</sup> By the afternoon all doubt as to Leslie's intentions must have

<sup>1</sup> Carte, i. 381.

<sup>2</sup> The banks of earth surrounding and intersecting the English camp are not entrenchments, but probably represent the 'baulks' or 'dykes' marking the limits of the town fields.

<sup>3</sup> Two farmhouses are marked in the plan. They possibly represent Chesterhall and Easter Broomhouse. But on the whole Lochend seems more likely to be the site of the farmhouse in the fields.

<sup>4</sup> *A True Relation*, Hodgson, p. 276.

<sup>5</sup> Carte, *Original Letters*, i. p. 381.

been cleared up. Cromwell learnt in the first place that a force had been detached by Leslie to occupy Cockburnspath, a pass ten miles from Dunbar on the road to Berwick, thus cutting him off from the reinforcements he was expecting from Berwick, and barring the march of his army thither.<sup>1</sup>

‘The enemy that night,’ writes Cromwell, ‘we perceived gathered towards the hills, labouring to make a perfect interposition between us and Berwick, and having in this posture a great advantage, through his better knowledge of the country; which he effected by sending a considerable party to the strait pass at Copperspath where ten men to hinder are better than forty to make way.’

By Monday night it became clear that Leslie did not mean to content himself with simply barring Cromwell’s march to England. His movements during the day gradually made this clear. Early on Monday morning, ‘before sunrise,’ according to Cadwell, Leslie drew down a considerable portion of his army to the foot of the hill,<sup>2</sup> as if he intended to attack the English army in flank or rear while it marched along the coast road from Dunbar to Berwick.<sup>3</sup>

<sup>1</sup> Pease Bridge rather than Cockburnspath was probably the actual site of the ‘pass’ referred to. Leslie’s detachment could hardly have occupied it much before Monday morning. Cromwell received the news on Monday, as his letter to Sir Arthur Haselrig shows, which must have been written immediately it came to him. ‘The enemy,’ he says, ‘hath blocked up our way at the pass at Copperspath, through which we cannot get without almost a miracle.’ ‘I perceive your forces are not in a capacity for present release. . . . If your forces had been in readiness to have fallen upon the back of Copperspath it might have occasioned supplies to have come to us’ (Carlyle, Letter cxxxix.). A detailed description of this pass at Cockburnspath is given in Bissett’s *Commonwealth of England*, 1864, i. 331.

<sup>2</sup> ‘Before sunrising the enemy drew down part of their army to the foot of the hill towards our army’ (Cadwell, Carte, i. 381).

<sup>3</sup> There is considerable evidence in support of the view that Leslie was obliged to fight against his better judgment by the Committee of Estates and the clergy. ‘I hear,’ writes Cromwell, ‘when the enemy marched last up to us the ministers pressed their army to interpose between us and home, the chief officers desiring rather that we might have way made, though it were by a golden bridge. But the clergy’s counsel prevailed.’ (Carlyle, Letter cxlii.) Major White’s account, given to the House of Commons on September 10, says: ‘The General and Lieutenant-General of the Scots were of opinion to have let our army retreat till they came to their last pass, and so to fall upon their rear, but the

During the afternoon the movement of the Scottish army continued. More horse and foot followed the first division, and finally the baggage and artillery were also brought down the hill, until Leslie's whole army was stationed at the foot of the hill or on its lower slopes. It was drawn up in the usual battle order, the infantry in the centre, the horse on the two wings.<sup>1</sup> Cromwell's description of the movement is very exact, and his words should be carefully weighed. 'Upon Monday evening the enemy drew down to the right wing about two thirds of their left wing of horse, shogging also their foot and train much to the right,<sup>2</sup> causing their right wing of horse to edge down towards the sea.'<sup>3</sup> The result of this

ministers did so importune them that they could not rest quiet till they had engaged' (*Commons' Journal*, vi. 464). See also *Mercurius Politicus*, September 5-12, 1650, p. 223. Not only in the English camp but amongst the Scots the same theory was accepted. Burnet attributes Leslie's movement to Warriston and the Committee (*Own Time*, ed. Airy, i. 95, 96). Baillie, referring to the subsequent inquiry into the causes of the defeat, says: 'After all tryals, finding no maladministration on him to count of, but the removall of the armie from the hill the night before the rowt, which yet was a consequence of the Committee's order, contrare to his mind, to stop the enemie's retreat, and for that end to storm Broxmouth House so soon as possible; on these considerations, the State, unanimously, did with all earnestness intreat him to keep still his charge' (*Letters*, iii. 111). Leslie and Major-General Holburne were both exonerated by the Scottish Parliament on December 23, 1650 (Balfour, *Annals*, v. 214). On the other hand, Lord Orrery, in his *Art of War*, observes, with evident reference to Dunbar: 'Within my own memory I have known that a general greedy of honour and impatient of delay, when, by the wise conduct of those under him, or the ill conduct of those against him, his enemies' army was so cooped up that it could not long subsist, nor force its way; he drew his army off of the passes which shut up his adversary, that he might come out and decide it by a battel; which he lost, and deservedly' (p. 149).

According to the *Memoirs of James Burns*, published by Maidment (Edinburgh, 1832, p. 16), the Scottish army at Dunbar was 'ordered to be disposed of by 8 persons, as bothe the Leslies (that is the Earl of Leven and General David Leslie), Colonell Lumsdain, that was Sir James Lumsdain of Innergelly, Colonell Holburne, Colonell Robert Montgomery, Sir John Browne, Colonell Strachan, and Colonell Ker.'

<sup>1</sup> 'About 4 in the afternoon the enemy drew down their train to that part of the body of horse and foot that was drawn down to the foot of the hill before; the enemy's horse being on both wings of their own foot feeding' (Cadwell, *Carte*, i. 381).

<sup>2</sup> To Leslie's right—that is, towards the eastern end of Doon Hill, where it is easy of descent and the slopes are gentler.

<sup>3</sup> Towards Cat Crag.

continuous movement to the right was that the Scottish cavalry were planted across the road from Dunbar to Berwick, about a couple of miles from Dunbar.<sup>1</sup> 'We could not well imagine,' comments Cromwell, 'but that the enemy intended to attempt upon us or to place themselves in a more exact condition of interposition.'

An attack on Cromwell's outposts which followed this general movement of the Scottish army seemed to prove that Leslie intended to assail Cromwell's position, rather than to content himself with repelling any attempt of the English army to break through. Between Cromwell's position and that of the Scots lay the Brock burn, running obliquely from the Doon Hill to the sea. The burn itself is neither deep nor broad, though just then no doubt it was swollen to a respectable size by the heavy rains of the last few days. In the upper part of its course it runs at the bottom of a ravine of considerable breadth, with very high and steep banks. The ravine, in fact, is so broad at the bottom, and its sides are so straight that it is rather like a trough.<sup>2</sup> In the lower part of the course of the brook and nearer to the sea these high banks become much lower, and below Broxmouth House, which stands midway between the road and the sea, the stream is everywhere easily passable. Cromwell had garrisoned Broxmouth House,<sup>3</sup> and had occupied also as an outpost an isolated farmhouse standing on the Berwick side of the stream two or three hundred yards from the place where the present road crosses. One of the results of this movement of the

<sup>1</sup> Somewhere near East Barns.

<sup>2</sup> 'There was between the two armies a great dike about 40 or 50 foot wide, and as deep as broad, with a little rundle of water running in the middle of it, but very good grass growing on each side of the dike; so that either army's marching over first was a great disadvantage to them' (Cadwell). 'A great clough was betwixt the armies' (Hodgson, p. 144). Cromwell does not mention this ravine, which in parts of its upper course is nearer 100 than 50 feet broad.

<sup>3</sup> Exactly when Broxmouth House was occupied does not appear. Cromwell watched the movement of the Scots from it on Monday afternoon. The house belonged to the Duke of Roxburgh, and Hodgson calls it Roxburgh House. On the damage caused by this occupation see W. S. Douglas, *Cromwell's Scotch Campaigns*, p. 165. It was probably garrisoned by Pride's regiment, which supplied the detachment for its outpost.

Scottish army to the foot of the hill was the capture of this outpost by a detachment of Scottish cavalry, though the house was too near Cromwell's position to be permanently occupied by the Scots.<sup>1</sup> An attack on Broxmouth House was evidently threatened.

In Fisher's picture-plan Broxmouth House is clearly shown, with the heads of English soldiers appearing over its wall and waggons belonging to the train drawn up in the garden. The plan shows also the isolated farmhouse on the Berwick side of the stream where the captured outpost was stationed.

Cromwell met this threatening movement by a change of front. Hitherto his army had been drawn up across the peninsula, with the ravine of the burn covering his left flank. In his new position the brook and the ravine ran across his front, and his left was somewhere about Broxmouth House. 'That night,' says Cadwell, summarising the effect of this change of position, 'the army marched as close to the dike as they possibly could; placing two field pieces in each regiment

<sup>1</sup> This house and its capture are described in the following terms: 'On the side of the bank was a poor house which stood in a shelving pass; Lieut.-Gen. Fleetwood and Col. Pride sent 24 foot and 6 horse to secure that pass, that the enemy should not come over. The enemy about four of the clock drew down about two troops of lancers unto this pass to beat off the said party; the six horse gave way; they killed 3 of the foot and took 3, and wounded and drove away the rest, and so they gained the pass, but nevertheless kept it not.' (Cadwell). The *Brief Relation* gives a similar account, but says the capture took place 'about five of the clock that Monday morning' (Terry, p. 476). 'The enemy . . . the day before having taken about 30 of Col. Pride's men, who being to possess a house between the enemy and theirs, and not seconded by those appointed to bring them off, the enemy killed 3 of them and wounded all the rest after quarter given' (*True Relation*). 'They having the evening before taken 40 of Colonel Pride's men that went to possess a house, they cut and mangled them in a most barbarous manner after they had given them quarter' (Rushworth, *Old Parliamentary History*, xix. 342). Carlyle assumes that this poor house was on the Dunbar side of the Brock burn, and Mr. Douglas thinks it stood where Brand's Mill now stands. But it was evidently, from the words of the *True Relation*, between the positions of the two armies, and therefore on the Berwick side. I take it to have been somewhere on the line of the present road, near where the south lodge of Broxmouth House now is. The small house marked in the picture-plan would stand thereabouts, and it is inserted in the plan presumably because it was in some way connected with the fighting.



of foot, expecting that night the enemy would have fallen on.' It was a strong defensive position, and it appeared as if Cromwell meant to remain on the defensive, and to hold the line of the burn against the expected attack. But in reality he had already resolved not to wait to be assailed, but to seize the opportunity which the Scots had given him by placing themselves within striking distance. As soon as Cromwell perceived the new position of the Scots, and marked its defects, he resolved to attack. 'The Major-General and myself coming to the Earl Roxburgh's house, and observing this posture, I told him it did give us an opportunity and advantage to attempt upon the enemy. To which he immediately replied that he had thought to have said the same thing to me. So that it pleased the Lord to set the same apprehension upon both of our hearts at the same instant. We called for Colonel Monk and showed him the thing: and coming to our quarters at night, and demonstrating our apprehensions to the colonels, they also cheerfully concurred.'<sup>1</sup>

The only account of the discussions of the council of war on Monday night is contained in the *Memoirs* of Captain Hodgson.<sup>2</sup> 'Many of the colonels,' says Hodgson, 'were for shipping the foot, and the horse to force the passage.'<sup>3</sup> Major-

<sup>1</sup> Carlyle, Letter cxi. Cadwell says: 'On the same day about four of the clock in the afternoon our general with the officers went and supped at Dunbar for refreshment, and presently after, before five of the clock, they took horse and went into the fields, and then called a council of war: what the result was he knows not' (Carte, i. 381).

<sup>2</sup> Hodgson says the council was held about nine o'clock at night. Being at that time only a lieutenant, he was certainly not present, and could only know from hearsay what took place. He attributes rather too much to his colonel, 'honest Lambert,' but Lambert no doubt took a prominent part in the debates. He knew what Cromwell's plan was, and as Cromwell was presiding, would naturally act as his spokesman. Monk, who was also in Cromwell's confidence, and Lieut.-General Fleetwood, the other general officers present, were neither of them speakers.

It should be remembered that Hodgson's *Memoirs* were written about thirty years later, but considering that fact, they are wonderfully accurate.

<sup>3</sup> Leslie perhaps thought that Cromwell had shipped some of his guns. 'How will you fight,' he asked a prisoner taken on September 2, 'when you have shipped half your men and all your great guns?' 'Sir,' answered the

General Lambert opposed this plan, saying 'there was no time to ship the foot, for the day would be upon us, and we should lose all our carriages.' He might have added that it was doubtful whether the ships at the disposal of the army could accommodate 7,000 or 8,000 foot, and extremely improbable that the horse unsupported by any infantry could cut their way through the whole Scottish army.

Lambert urged that the Scots should be attacked, and enlarged on 'the disadvantage the Scots might meet with in the posture they were drawn up in.' 'We had great advantage of them in their drawing up,' he insisted.

In the first place, 'if we beat their right wing we hazarded their whole army, for they would be all in confusion, in regard they had not great ground to traverse their regiments betwixt the mountain<sup>1</sup> and the clough.' For if the cavalry forming Leslie's right wing were driven from the field, the infantry forming its centre would be exposed to a flank attack from Cromwell's victorious horse. They would be obliged 'to traverse their regiments'—that is, to form a new front at right angles to their old one—to resist this attack. But what with the hill and its slopes behind them, and the ravine of the Brock burn running across their front, they would have too little room to execute this manœuvre.<sup>2</sup>

prisoner, 'if you please to draw your army to the foot of the hill you shall find both men and great guns also' (Carte, i. 382). Dr. Gardiner interprets the dialogue as showing Leslie's belief that Cromwell had shipped his guns (*Commonwealth and Protectorate*, i. 322). Mr. W. S. Douglas argues that it was merely Leslie's way of inquiring for information on the subject (*Cromwell's Scotch Campaigns*, p. 107).

<sup>1</sup> 'They had a great mountain [Doon Hill] behind them which was prejudicial as God ordered it,' says Hodgson a few lines before.

<sup>2</sup> The exact limits of the position occupied by the foot forming the Scottish centre are not very easy to fix. In Fisher's plan they appear to be posted on the lower slopes of the hill, near its eastern extremity. Just behind their right is a farmhouse on a knoll, surrounded by trees. I am inclined to identify this with Meikle Pinkerton, which stands out very prominently on the hillside, and corresponds more closely to the position suggested in Fisher's plan than any other of the farms thereabouts. Attached to the house is an old stone dovecote, which seems to date from the sixteenth or seventeenth century.

The only other place corresponding in any way with the house shown on Fisher's plan is Little Pinkerton, but though it stands out a little from the rest of

The second defect Lambert pointed out in the position of the Scots was, according to Hodgson, that 'they had left intervals in their bodies upon the brink of the hill, that our horse might march a troop at once, and so the foot ; and the enemy could not wheel about nor oppose them, but must put themselves in disorder.' What the first part of this sentence means it is not easy to say ; the substance of the whole is a repetition of the statement made before, that the Scots were posted in such a position that they could not manœuvre with sufficient freedom.

The third point which Lambert dwelt upon in his speech is, however, plain enough. 'Lastly,' said he, 'our guns might have fair play at their left wing while we were fighting their right.' The cavalry composing Leslie's left wing was practically useless for offensive purposes. The fifteen hundred or two thousand horse composing it were posted in a narrow strip of ground between the ravine of the Brock burn and the hill.<sup>1</sup> They could not pass the ravine in its upper course, and to get to the more open ground where Cromwell meant to fight the battle they would have to pass under the fire of his artillery.<sup>2</sup>

the hillside, it is not nearly so conspicuous a feature in the landscape. Little Pinkerton is a quarter of a mile nearer Dunbar, and if it were the place meant by Fisher, the Scottish position was still more cramped than I have supposed.

<sup>1</sup> The left wing of Leslie's horse seems to have consisted originally of 3,000 or 4,000 horse. But at least half, or according to Cromwell two-thirds, of this force had been drawn to the right wing, where the ground was more suitable for cavalry. The left wing was posted somewhere between Doon Bridge and Little Pinkerton, if Fisher's plan is correct.

<sup>2</sup> Cromwell had a good many guns, but it is impossible to say how many or of what calibre. The Council of State vaguely ordered a train of artillery to be provided suitable for an army of 12,000 men (*Cal. State Papers*, Dom. 1649-50 pp. 48, 86, 111). It is probable that each infantry regiment had a couple of field-pieces attached to it (cf. Carte, i. 383 ; Hodgson, pp. 219, 247). Besides this he had great guns, probably demi-culverins and culverins, and perhaps a couple of demi-cannons. The great guns were probably placed in the salient angle formed by the course of the burn just above Brand's Mill, as suggested in Dr. Gardiner's plan of the battle. The field-pieces probably accompanied the regiments to which they were attached when they crossed the burn. But this is mainly hypothetical. However, Hodgson describes Major-General Lambert as



All these considerations seemed to justify an attack upon the Scots, and to prove that it could be made with success in spite of the great disparity between the numbers of the two armies. The council of war therefore resolved to attack.

According to Hodgson, 'the charge of the conduct of the army that morning' was entrusted to Lambert.<sup>1</sup> Another story, however, gives it to Monk.<sup>2</sup> In any case, what they did was to work out the details of the plan of attack which their general had conceived. Cromwell's plan was to concentrate all the force he could against the right wing of the Scots, and to keep the rest of the Scottish army in check till their right was beaten.

The problem which had to be solved first before this could be attempted was how to get the English army across the Brock burn and form them in line of battle on the other side. The danger was that they might be attacked when half the army were across, and routed before they could get into line.

There were about three places in which the burn could be crossed by troops. In its upper course the ravine through which it ran made it impassable. At Brand's Mill, about two or three hundred yards above the present road, the low and shelving banks made crossing possible. Farther down, where the present road runs, was another crossing-place, which is probably that referred to in contemporary narratives as 'the pass upon the roadway between Dunbar and Berwick.' Nearer the sea, between Broxmouth House and the sea, it was perfectly easy for a large number of troops to cross. Fisher's 'ordering the guns' before the attack began—*i.e.*, placing them (p. 146); and Cadwell describes the great guns as playing very hot on both sides during the battle.

<sup>1</sup> 'These with other reasons altered the council; and one steps up and desires that Colonel Lambert might have the conduct of the army that morning, which was granted by the general freely.' Hodgson also describes Lambert as giving orders for the flank attack of Pride's brigade.

<sup>2</sup> As to Monk, Gumble says: 'Monk urged a battail [in the council] and that in the place where they were to assault the enemy, as they were lodged round about them; there was great opposition, but he offered to undertake the work; and as brigadere with three regiments of foot, at the head of them, with his pike in his hand, he charged up the hills that are above the town from the seaside' (p. 38). See also Heath's *Chronicle*, 1663, p. 504.

plan represents troops as crossing at all these three places. A cavalry regiment is passing the burn at the uppermost crossing, about the site of Brand's Mill. A foot regiment is passing where the road now crosses the stream. One foot regiment is in the act of passing between Broxmouth House and the sea, preceded at a little distance by two others which had evidently passed at the same place. The evidence which Fisher's picture-plan gives us is supported here by an examination of the ground and by a large-scale ordnance map.

Cromwell's despatch does not explain the nature of the tactics he meant to adopt. He confines himself to giving a general account of the method in which he divided his army, the officers who commanded the different divisions, and the services each performed in the battle. 'We resolved to put our business into this posture.'<sup>1</sup> That six regiments of horse<sup>2</sup> and three regiments and a half of foot should march in the van ; and that the Major-General (Lambert), the Lieutenant-General of the horse (Fleetwood) and the Commissary-General (Whalley), and Colonel Monk to command the brigade of foot,<sup>3</sup> should lead on the business ; and that Colonel Pride's brigade,<sup>4</sup> Colonel Overton's brigade,<sup>5</sup> and the

<sup>1</sup> Letter cxi.

<sup>2</sup> The six regiments of horse were those of Lambert, Fleetwood, and Whalley, all naturally with their commanders ; these three regiments bore the brunt of the fighting, as their losses show. Twisleton's is mentioned further on in Cromwell's letter, and Lilburne's is mentioned in Cadwell's account. The sixth regiment was probably Hacker's, which was the one most prominent in the pursuit.

<sup>3</sup> The composition of Monk's brigade cannot be determined with certainty. His own regiment was one of the three and a half, and it did not contain the regiments of Pride, Lambert, and Cromwell. The regiments of Mauleverer, Coxe, Fairfax, and Daniel were either in Monk's or Overton's brigade.

<sup>4</sup> Pride's brigade of foot apparently included his own regiment and those of Cromwell and Lambert.

<sup>5</sup> Colonel Overton's own regiment was not there. His brigade apparently consisted of a regiment and a half. The *Diary of the Proceedings of the Army*, under September 14 says : 'Major-General Overton left to be governor of Edinburgh, with Colonel Fairfax and Colonel Coxe's regiments, and Colonel Daniel's regiment in Leith ; all these three regiments being of Major-General Overton's brigade' (Appendix to Hodgson's *Memoirs*, p. 315). But immediately after Dunbar some reinforcements joined Cromwell, and probably the brigades were rearranged.

remaining two regiments of horse <sup>1</sup> should bring up the cannon and rear. The time of falling on to be by break of day ;— but through some delays it proved not to be so till six o'clock in the morning.<sup>2</sup> The enemy's word was "The Covenant" ; which it had been for divers days. Ours, "The Lord of Hosts." As usual, there was a badge employed to distinguish the soldiers of the two armies, and the 'field-sign' for the English army was to have no white about them.<sup>3</sup>

Somewhere about four on Tuesday morning the attack began. Three regiments of horse crossing the stream at the passages above Broxmouth House fell upon the outposts of the Scottish cavalry and drove them back.<sup>4</sup> Some of Cromwell's horse even penetrated into the encampment of the Scottish left wing, cutting down the tents, doing some execution amongst the Scots, and producing much confusion.<sup>5</sup> A couple of regiments of foot followed in support of the horse, and thus 'the pass,' as contemporary narratives call it, was gained and held ; and now the rest of Lambert's

<sup>1</sup> The two remaining regiments of horse were Cromwell's own regiment and Okey's dragoons.

<sup>2</sup> According to Cadwell, the messenger, the fighting began at four on Tuesday morning, and the Scots were routed about six. The *Brief Relation* adopts Cadwell's time, but it is based on his statements. The *True Relation* says that 'about break of the day on Tuesday morning both armies were engaged,' but speaks of an hour's dispute previous to that at 'the pass.'

The fact seems to be that the preliminary fighting began about four or five, and the real battle an hour or more afterwards. Cromwell probably refers to the latter. Dr. Gardiner notes that on September <sup>3</sup>/<sub>13</sub> the sun rises at 5.33, and infers that Cromwell's statement was not correct (*History of the Commonwealth and Protectorate*, i. 325).

<sup>3</sup> *Cromwelliana*, p. 112.

<sup>4</sup> 'Early the next morning Cromwell drew out a strong party of horse and fell on the horseguards, and made them retire, and if his design were formerly but to make his way, he now altered it by this opportunity of the great security of his enemies, so presently his bodies both of horse and foot advanced,' etc. (Walker, *Historical Discourses*, p. 180).

<sup>5</sup> In Payne's Fisher's picture-plan some of Cromwell's horse are shown attacking the camp of the Scottish cavalry on the left and cutting down straggling Scots amongst their tents. In the *Memorie of the Somervilles* we are told that at Dunbar young Bannatyne of Corhouse 'narrowly escaped being knocked on the head or made prisoner, for his father's tent was cut down above him by the enemy before he could get to horse.' His father was Lieut.-Colonel to Colonel

division of horse and the remainder of Monk's brigade of foot effected their crossing.<sup>1</sup> By the time the Scottish army had struggled into battle order the main body of Cromwell's force was established in front of them on their side of the stream. The English had the sea at their backs and the stream on their right. The Scots had the hill at their back and the stream on their left.

The success of the attack was possible because the Scots were unprepared for it. They had ceased to expect an attack.<sup>2</sup> One reason was the weather. The night, says Nichol, was 'a drakie nycht full of wind and weit'; 'very rainy and tempestuous,' says Walker. It prevented the Scots themselves

Stewart's regiment of horse (*Memorie*, ii. 421). It is evident that the statement that the Scots had no tents is too sweeping. Some portion of their army had them, though the greater part had none. Earlier in the civil war the Scottish armies certainly had tents. Cf. Terry, *Life of Alexander Leslie*, p. 106.

As to the time of this attack on the Scottish left there is no evidence. I assume it to have taken place in this preliminary fighting, because an hour later, when the whole Scottish army was on the alert, such a surprise would not have been possible. In Fisher's picture-plan it seems to be occurring at the same time as the decisive cavalry battle on the right, but the plan represents, I think, successive rather than simultaneous movements. It is certain that in the actual battle Cromwell's cavalry was massed on his right, and he had not three regiments of horse to spare for his left.

<sup>1</sup> 'On Tuesday morning about four of the clock our army gave the enemy a strong alarm. A brigade of horse and foot consisting of Major-General Lambert's, Colonel Whalley's, and Colonel Lilburne's regiments of horse, and two of foot, drew down to a roadway upon a pass to Berwick, and firing very hard upon one another the dispute lasted an hour and was very hot, the great guns playing on both sides very hot on each other's main body; being moon-light, our horse and foot gaining of their ground possessed themselves of the pass.' (Cadwell's narrative, Carte, i. 383.) 'On Tuesday morning about four of the clock, a brigade of our army drew down to possess themselves of a pass upon the road between Edinburgh and Berwick, by which being had, they might with more ease pass over to the enemy to fall upon them' (*A Brief Relation*; Terry's *Alexander Leslie*, p. 477). 'A party of ours, advancing to gain the wind of the enemy, were discovered by a party of theirs who came to alarm us; but notwithstanding (through the Lord's great mercy), after above an hour's dispute at the pass upon the Broadway between Dunbar and Berwick, our men obtained their end, possessed the pass, whereby we might with ease come over with our army; which was prosecuted so effectually that about break of the day on Tuesday morning both armies were engaged' (*True Relation*; appendix to Hodgson's *Memoirs*, p. 277).

<sup>2</sup> 'Our Scottis army wer cairless and secure, expecting no assault' (Nichol). 'Our army being in grate security . . . wer surprised and routed' (Blair).

from attacking, and they thought it would keep the English army quiet too. 'The deluge of dropping showers falling upon our camps diverted the enemy's intended attempts upon us the next morning, yet could it in no way divert our resolutions to fall upon their forces,' says an English officer.<sup>1</sup>

During the early part of the night the Scots stood to their arms. Twice there was an alarm that the English army were advancing to the attack, but when the threatened attacks did not come off the Scottish commanders became persuaded that they had none to fear.<sup>2</sup> Accordingly they gave orders for the men to bivouac as best they could for the rest of the night. 'Towards morning,' says Walker, 'the Committee proposed they might take some rest, and 'tis said Holborn Major-General gave orders to put out all matches but two in a company. Thus in great security (the rain continuing) they made themselves shelter of the corn new reapt, and went to sleep.'<sup>3</sup> The horse likewise went to forage, and many unsaddled their horses.'<sup>4</sup> The statement about the matches is confirmed by other accounts.<sup>5</sup> Most of the Scottish infantry were armed with matchlock muskets, and as the supply of match was generally a difficulty, officers were always on the alert to prevent its too rapid consumption. It would take some time for the musketeers to get their matches lighted again, and until they could do that they were useless either for attack or defence. It is rather significant to find it noted

<sup>1</sup> *Mercurius Politicus*, p. 228; Nichol's *Diary*, p. 27.

<sup>2</sup> 'The Scottish army exposed in the fields, yet standing to their arms and receiving two alarms' (Walker, *Historical Discourses*, p. 180). 'At ten o'clock the enemy did give an alarm to ours. The whole army then being in a readiness they were repulsed' (*Life of Robert Blair*, p. 238).

<sup>3</sup> According to the *Private Hand*, many of the Scottish foot 'were killed in their huts fast asleep.'

<sup>4</sup> Walker, p. 180.

<sup>5</sup> Blair says that after the false alarm at ten o'clock 'it was reported and often by sundry affirmed, that orders were given to the foot to put out their matches.' 'About midnight command was given to put out all their matches, except the file leaders, which hardly could be kept in for the rain. . . .' 'Those that fought had most part firelocks' (*Collections by a Private Hand at Edinburgh*, p. 28). 'The private soldiers, I know not by whose order, had put out their matches' (Bates, *Elenchus*, ed. 1685, p. 106).

in one account that those regiments of foot that fought best on the Scottish side were armed with flintlocks.

A third cause which contributed to the success of Cromwell's attack was the remissness of Leslie's officers. 'I know,' wrote Leslie, two days after the battle, 'I get my own share of the salt for drawing them so near the enemy, and must suffer in this as many times formerly; though I take God to witness we might as easily have beaten them as we did James Graham at Philiphaugh, if the officers had stayed by their own troops and regiments.'<sup>1</sup> This doubtless means that the officers had taken shelter in the farmhouses or tents, in order to get out of the rain, instead of staying with their regiments. It must be remembered that during the latter part of August many of the best and most experienced officers had been purged out of the Scottish army as 'Malignants' and 'Engagers,' and had been replaced by men of sounder religious principles.<sup>2</sup>

Now that the preliminary struggle for the passage of the stream was over, the real battle began. Lambert, with his division of cavalry numbering at most 2,700 men, attacked the Scottish right wing, which numbered 4,000 or 5,000 horse.<sup>3</sup> 'The enemy made a gallant resistance,' says Cromwell, 'and there was a very hot dispute at the sword's point between our horse and theirs.' Lambert's first attack was repulsed. 'The enemy's horse,' says Cadwall, 'charged very resolutely, all their frontiers [*i.e.*, their front-rank men] being armed with

<sup>1</sup> *Ancrum and Lothian Correspondence*, ii. 297.

<sup>2</sup> On these purgings see Walker, pp. 165, 168, 179; Gardiner, *Commonwealth and Protectorate*, i. 316.

<sup>3</sup> Cromwell's words are: 'The Major-General, Lieut.-General Fleetwood, and Commissary-General Whalley, and Colonel Twisleton gave the onset, the enemy being in a very good posture to receive them, having the advantage of their cannon and foot against our horse. Before our foot could come up the enemy made a gallant resistance, and there was a very hot dispute at sword's point between our horse and theirs.' The mention of these four suggests that their regiments formed Lambert's first line, and that the other two were held in reserve. It is possible that the other two regiments—*viz.*, Hacker's and Lilburne's—were on the left wing, but not likely, as Cromwell's plan was to throw all the force he could collect on the Scottish right.

lances :<sup>1</sup> our brigade of horse gave way a little, being charged by the enemy coming down the hill upon them, wherein Major Lister was taken prisoner, but was presently rescued.'<sup>2</sup>

Monck's brigade of foot engaged the infantry forming the Scottish centre. It numbered about 3,300 men, or, supposing that Overton's brigade had joined it, possibly 5,000.<sup>3</sup> Opposed by at least three times its number of Scottish infantry, it was naturally driven back. 'Our first foot,' says Cromwell, 'after they had discharged their duty (being overpowered with the enemy) received some repulse, which they soon recovered.'

Just as Monk and Lambert were being driven back, Cromwell himself arrived on the field with three regiments of foot and a regiment of horse. They were his own regiment of horse under Captain Packer, and the three regiments composing Pride's brigade of infantry, Pride's, Lambert's, and Cromwell's own.<sup>4</sup> This brigade had crossed the stream

<sup>1</sup> Colonel Strachan especially distinguished himself on the Scottish side. 'Major Straughan was in this fight, and charged desperately' (*True Relation*, p. 279). 'Some of the horse charged, especially those commanded by Coll. Strachan, who was wounded' (*Collections by Private Hand*).

<sup>2</sup> Major Christopher Lister was an officer in Col. Lilburne's regiment, I believe.

<sup>3</sup> The three and a half regiments forming Monk's brigade may be estimated at 900 or 1,000 apiece, making a total of 3,150 or 3,500 men. The part taken by Overton's brigade during the battle is uncertain. 'To bring up the cannon and rear' was the part assigned to it, according to Cromwell. The heavy guns seem to have remained on the Dunbar side of the stream. Just above the two upper crossings the stream makes a bold curve to the east and towards the position held by the Scots. On this sort of promontory, protected from attack by the steep banks of the stream, Cromwell appears to have stationed his guns. Dr. Gardiner places them here (p. 326). Thence, as Hodgson says, they could 'have fair play at the left wing' of the Scots, and could even reach the infantry of the left centre. Cromwell doubtless kept part of Overton's brigade, and possibly Okey's dragoons, on the Dunbar side of the stream, to guard his guns. He may possibly have sent part of the foot or the dragoons to reinforce Monk's brigade. There is no evidence on the point : it is a question of military probabilities.

<sup>4</sup> 'At last the Major-General came and ordered Packer, major to the general's regiment, Gough's, and our two foot regiments, to march about Roxburgh House towards the sea, and so to fall upon the enemy's flank, which was done with a great deal of resolution.' Hodgson's details are a little inaccurate. Packer was not major of the general's regiment till a couple of years later, but as the major

between Broxmouth House and the sea, near its mouth, with instructions to fall upon the enemy's flank. The three regiments seem to have come into action on the left of Monk's brigade, and at once charged the advancing Scots.<sup>1</sup> 'My own regiment,' says Cromwell, 'under the command of Lieutenant-Colonel Goffe and my Major White, did come seasonably in and at the push of pike did repel the stoutest regiment the enemy had there merely with the courage the Lord was pleased to give; which proved a great amazement to the residue of their foot.'

Pride's regiment advanced too. 'The Lord General's regiment of foot,' says the 'True Relation,' 'charged the enemy with much resolution, and were seconded by Colonel Pride's men, who were even with some of them for their cruel usage to their fellow soldiers the day before.'<sup>2</sup> Further still to the left, and outflanking the Scottish foot, advanced Lambert's regiment,<sup>3</sup> and all the rest of the English infantry moved forward at the same time. 'I never beheld a more terrible charge of foot than was given by our army,' said an eyewitness, 'our foot alone making the Scots foot give ground for three-quarters of a mile together.'<sup>4</sup> Simultaneously, or almost simultaneously, Lambert's horse charged the Scottish cavalry

had been wounded two or three days previously, it is no doubt true that Packer was in command. Goffe was then lieutenant-colonel, as Cromwell calls him, but was made colonel of the regiment directly after the battle. 'Our two regiments' mean Lambert's, in which Hodgson was serving, and pretty certainly Pride's, which is mentioned as seconding Cromwell.

<sup>1</sup> Fisher's picture-plan shows a regiment actually crossing the stream below Broxmouth House, thus confirming Hodgson's account. Two others are also shown as having just crossed. They are coming up in the rear of the infantry already engaged, and rather to the left, but hardly on the flank.

<sup>2</sup> Appendix to Hodgson's *Memoirs*, p. 279. On the incident which Pride's men sought to avenge, see p. 33 *ante*.

<sup>3</sup> Lambert's regiment seems, from Hodgson's words, to have come up last of the brigade, and more to the left than the other two regiments. 'The general himself comes in the rear of our regiment and commands to incline to the left; that was, to take more ground to be clear of all bodies.' He goes on to describe it as 'coming up to the top of the hill with the straggling parties that had been engaged,' and says it 'kept them from bodying,' *i.e.*, forming again.

<sup>4</sup> Rushworth to the Speaker, *Old Parliamentary History*, xix. 341.



again,<sup>1</sup> while Packer and the troopers of Cromwell's own regiment fell upon them in the flank.<sup>2</sup> 'The horse in the meantime,' writes Cromwell, 'did with a great deal of courage and spirit beat back all opposition, charging through and through the bodies of the enemy's horse.' Leslie's right wing was completely routed: some of them fled towards Berwick, others towards Haddington.<sup>3</sup> Then followed the irretrievable ruin of the Scottish infantry, which Cromwell's victorious cavalry now attacked in flank.<sup>4</sup> Some regiments fought well. 'One part of their battalia stood very stiffly to it,' says Rushworth. 'One of the Scots brigades of foot would not yield though at push of pike and butt-end of musket, until a troop of our horse charged from one end to another of them, and so left them to the mercy of the foot.'<sup>5</sup> 'Two regiments of foot fought it out manfully, for they were all killed as they stood (as the enemy confessed),' says a Scottish account.<sup>6</sup> The rest of the foot threw down their arms and fled, or

<sup>1</sup> Cadwell briefly sums up these movements: 'Our horse immediately rallying and our foot advancing charged the enemy, and put them to the run very suddenly, it being near six of the clock in the morning. Which rout the enemy's foot seeing, threw down their arms and fled.' (Carte, i. 383.)

<sup>2</sup> This seems to have been what Packer was ordered to do (according to Hodgson), and no doubt he carried out his orders. But there is no other reference to a flank attack on the Scottish cavalry.

<sup>3</sup> 'The best of the enemy's horse being broken through and through in less than an hour's dispute, their whole army being put into confusion, it became a total rout' (Carlyle, Letter cxi.). 'They routed one another after we had done their work on their right wing' (Hodgson).

<sup>4</sup> *Old Parliamentary History*, xix. 341; Hodgson, p. 147.

<sup>5</sup> This regiment was doubtless the regiment of Highlanders commanded by Campbell of Lawers. Gumble says in his *Life of Monk*: 'Onely Lawers his regiment of Highlanders made a good defence, and the chief officer, a lieutenant-colonel, being slain by one of the general's sergeants (the colonel was absent), of the name of the Campbells, they stood to the push of the pike and were all cut in pieces' (p. 38). 'Those that fought had most part firelocks; Lawers' regiment of foot was one' (*Collections by a Private Hand*). A list of men of note killed at Dunbar, given by Sir James Balfour (*Annals*, iv. 97), shows that the regiment of Sir John Haldane of Gleneggies had its colonel, lieutenant-colonel, and major all killed. Possibly this was the other regiment referred to. Burnet also says that the brunt of the fighting was borne by two regiments only.

<sup>6</sup> *Collections by a Private Hand*.

surrendered where they stood.<sup>1</sup> The left wing, which had not been engaged, fled on seeing the rout of the right and centre.<sup>2</sup> Cromwell pursued both with horse and foot, a swift, unsparing pursuit, such as he habitually practised, 'our men,' he says, 'having the execution of them near eight miles.'<sup>3</sup>

Few victories were ever more complete. According to Cromwell's estimate, 3,000 of the enemy were slain 'upon the place or near it.' 'Near 4,000 killed' was the estimate of other authorities.<sup>4</sup>

The prisoners taken numbered about 10,000, of whom 4,000 or 5,000, 'almost starved sick and wounded,' were dismissed by Cromwell to their homes, and the remaining 5,000 sent to Newcastle or Durham.<sup>5</sup>

'Their whole baggage and train were taken,' writes Cromwell, 'wherein was great store of match; all their artillery, great and small—30 guns.'<sup>6</sup>

<sup>1</sup> 'Which rout the enemy's foot perceiving threw down their arms immediately and fled' (Cadwell).

<sup>2</sup> 'The foot threw down their arms and fled towards Dunbar (our pinfold), and there they were surrounded and taken' (Hodgson, p. 148). 'The Scotch infantry took the rout and ran away over the sands towards Bell Haven, and were most taken prisoners' (Gumble, p. 38). The direction of the flight of the Scottish infantry is one of the proofs that the accepted theory of the position of the two armies is erroneous.

<sup>3</sup> 'Which the enemy's left wing of horse perceiving fled also' (Cadwell). 'The left wing of their horse, who had not been in any action hitherto, seeing this, fled also' (*Brief Relation*).

<sup>4</sup> 'Our horse and foot pursued even the whole army, . . . following them as far as Haddington, being about eight miles from the place, and Hacker's regiment pursued beyond Haddington, our general himself being also in the pursuit' (Cadwell). 'Our army is now at the least eight miles in pursuit of their horse, their foot being taken wholly.'

<sup>5</sup> Carlyle, Letter cxl.; Carte, i. 383.

<sup>6</sup> Carlyle, Letter cxlii. and Appendix No. 19; Cary, *Memorials of the Civil War*; *Mercurius Politicus*, pp. 266, 279.

<sup>7</sup> 'We took all their train, being 32 pieces of ordnance, small, great, and leather guns' (*True Relation*). 'Twenty-two field guns, besides smaller pieces' (*Mercurius Politicus*, p. 229). 'Nine guns, which were all they had,' says Cadwell, no doubt referring to the great guns; and the same number is given in Colonel Fenwick's letter. Cadwell adds that 10,000 serviceable arms were also taken.

‘I have already had brought in to me near 200 colours, which I herewith send you.’<sup>1</sup>

The secret of Cromwell’s victory at Dunbar was not only that his troops were better than those of Leslie, but that his tactics were infinitely superior. Cromwell preserved the traditional battle order of the time, stationing his foot in the centre and his cavalry on its flanks, but concentrated the bulk of the forces, both horse and foot, against the enemy’s right, which was the key of the Scottish position. Against the Scottish left and left centre he made a mere demonstration, compensating apparently for the inferiority of his numbers in that part of the field by concentrating the fire of his artillery against that portion of their forces. Each part of his army had a definite task assigned to it, which, thanks to the efficiency of his officers, was duly fulfilled ; and the general himself, at the critical moment of the battle, brought his own division into action with decisive result. It is evident, in short, that the battle was fought on a definite plan, and that one brain controlled and combined the movements of the whole army.

With this evidence of design revealing itself at every turn, it becomes impossible to accept the view of those who attribute the victory to one or other of Cromwell’s subordinates. After the Restoration it became the fashion to represent Monk as the real author of Cromwell’s success—a theory which finds expression in the pages of Heath and Gumble. Hodgson describes his own colonel, Lambert, as the originator of the plan which he was the most conspicuous agent in carrying out, and a modern writer has adopted Hodgson’s suggestion,<sup>2</sup> though there is nothing in any contemporary

<sup>1</sup> ‘All their foot colours besides horse ; they are already brought in, nearly 200 colours horse and foot’ (*True Relation*). A description of some of these flags is given in *Mercurius Politicus*, p. 224. Parliament ordered them to be hung up in Westminster Hall, as those taken at Preston had been. A ‘perfect registry’ of them, drawn up by Payne Fisher, is amongst the *Harleian MSS.*, 1,460. It consists of sketches of the devices and mottoes. See Mackinnon, *Coldstream Guards*, i. 25.

<sup>2</sup> Bissett, *Commonwealth of England*, 1864, i. 357.

account to confirm it, and no evidence exists that Lambert ever made any such claim for himself.

In none of Cromwell's battles do we get so many glimpses of his personal share in the progress of events from the beginning to the end of the battle. We see him first watching Leslie's movements with Lambert from Roxburgh House, and pointing out to his companion what an 'opportunity and advantage to attempt upon the enemy' his opponent's false move afforded. 'God is delivering them into our hands, they are coming down to us,' the traditional words which Burnet puts into Cromwell's mouth, have nothing improbable about them, inconclusive though Burnet's evidence is.<sup>1</sup> We get another glimpse of Cromwell during the night which preceded the battle, as he superintended the gathering of his regiments for the attack. A servant of Sir Arthur Haselrig's who was present at the battle used to tell how Cromwell 'rid all the night before through the several regiments by torchlight, upon a little Scots nag, biting his lip till the blood ran down his chin without his perceiving it, his thoughts being busily employed to be ready for the action now at hand.'<sup>2</sup> Hodgson too describes Cromwell's impatience when the day began to break, and fitful trumpets sounded in the Scottish camp, before the English army was in position.<sup>3</sup> We see Cromwell, a little later in the same narrative, at one moment directing the motions of Lambert's foot regiment, and bidding it incline more to the left in order to complete the attack on the flank of the Scots. Then, as the confusion of the Scottish army became apparent and the sun broke through the sea mist, Hodgson 'heard Noll say, "Now let God arise, and his enemies shall be scattered"; and he following us as we slowly marched, I heard him say, "I profess they run."'<sup>4</sup>

Last of all we see Cromwell in the chase of the routed Scots,<sup>5</sup> halting the pursuing horsemen for a moment to sing the

<sup>1</sup> Carlyle, Letter cxi. ; Burnet, *Own Time*, i. 95, ed. Airy.

<sup>2</sup> *Diary of Ambrose Barnes* (Surtees Society, 1867), p. 111.

<sup>3</sup> Hodgson, p. 146.

<sup>4</sup> *Ibid.*, p. 147.

<sup>5</sup> *Ibid.*, p. 148.

hundred and seventeenth psalm and collect his men, in case the enemy should make another stand.<sup>1</sup>

News of the victory reached London on September 7. 'I was going in my coach towards Chelsea', writes Bulstrode Whitelock, 'and about Charing Cross the messenger who came from Scotland came to my coach side and said to me, "Oh, my lord, God hath appeared gloriously for us in Scotland; a glorious day, my lord, at Dunbar in Scotland." I asked him how it was? He said the general and army had routed all the Scots army, but he could not stay to tell me the particulars, being in haste to go to the House.' Whitelock changed his mind about going to Chelsea, and followed the messenger to the House, where Cromwell's letters were read and the messenger delivered his narrative.<sup>2</sup>

Minute though Whitelock's details are, it is evident that the conclusion of his story is inaccurate. The news came when the House was not sitting, for it had adjourned on Friday, September 6, to Tuesday, September 10, and it was on the Tuesday therefore that Cromwell's letters were read and a narrative of Dunbar was delivered by Major White.<sup>3</sup> The messenger who arrived on Saturday brought the great news to the Council of State, as Parliament was not sitting, and it was thither doubtless that Whitelock followed him. The Council

<sup>1</sup> In Aubrey's *Miscellanies* there is a curious account of Cromwell's excitement at one period of the battle, which is worth recording. Aubrey is writing of what he calls 'the afflatus,' which sometimes in moments of excitement affects men of emotional temper. 'Oliver Cromwell had certainly this afflatus. One that I knew, and who was present, told me that Oliver was carried on as with a divine impulse. He did laugh so excessively as if he had been drunk, and his eyes sparkled with spirits. He obtained on that occasion a great victory, though the action was said to be contrary to human prudence. The same fit of laughter seized him just before the battle of Naseby, as a kinsman of mine and a great favourite of his, Colonel J. P. (John Pickering?), then present, testified.' (Aubrey's *Miscellanies*, p. 113.)

<sup>2</sup> Whitelock, *Memorials*, iii. 236. The messenger was Cadwell (*Mercurius Politicus*, p. 217). Ludlow, however, says: 'When the first news of this great victory was brought to London by Sir John Hipsley, it was my fortune, with others of the Parliament, to be with the Lord Fairfax at Hampton Court, who seemed much to rejoice at it' (*Memoirs*, ed. 1894, i. 254).

<sup>3</sup> *Commons Journals*, vi. 464; *Mercurius Politicus*, p. 220.

at once ordered 'the relation of the success of the army against the Scots to be printed and sent to the Lord Mayor,' desiring him to order it to be published on Sunday in all the parish churches in London, 'and thanks to be returned to God for His great mercy shown to this nation.'

On September 10, when Parliament met, it thanked the general and his soldiers, voted medals for men and officers engaged in the battle, and fixed October 8th for a day of public thanksgiving.<sup>2</sup>

Of the authorities for the history of the battle, the most important on the English side is Cromwell's Dunbar letter, No. cxl. in Carlyle's Collection, supplemented by Cromwell's letters to Haselrig on September 2 and September 4, exxxix. and cxli.; to the President of the Council of State, cxlii.; to Mr. Richard Mayor, cxliv.; and to Lieutenant-General Ireton, cxlv. The narrative of the battle by Cadwell, the first messenger sent off, is printed in Carte's 'Original Letters,' i. 380. This is practically the same as 'A Brief Relation,' etc. ('Thomason Pamphlets,' E. 612, 10), which is reprinted in Mr. Terry's 'Life of Alexander Leslie,' p. 475. 'A True Relation of the Routing of the Scottish Army near Dunbar,' said to be 'certified by letters from the headquarters of the army,' and dated 'Dunbar, Sept. 4,' is less detailed but useful. It is reprinted in the appendix to the 'Memoirs of Sir Henry Slingsby and Captain John Hodgson,' Edinburgh, 1806, p. 273. At the end of this relation, and appended to the pamphlet version of Cromwell's Dunbar

<sup>1</sup> *Cal. State Papers*, Dom. 1650, p. 330.

<sup>2</sup> *Commons Journals*, vi. 380, 464; Carlyle, Letter clxv. On the public thanksgiving see *Mercurius Politicus*, pp. 219, 265. The Act for appointing a Thanksgiving Day, which contains also a narrative, is reprinted in the *Old Parliamentary History*, xix. 353-57. There is a curious sermon or discourse on the victory by John Fenwick, senior, concluding with 'one of the Songs of Sion in thankfulness of minde and spirit to the prayse of our Jehovah of Hosts, in remembrance of his Triumphant Victories,' 1651. Prynne, on the other hand, published *Sad and Serious Political Considerations touching the invasive waur against our Presbyterian Protestant Brethren in Scotland*, in which (p. 9) he concludes that the thanksgiving was prescribed 'to involve the whole nation in a double guilt of their blood.' There are references to the battle of Dunbar in a ballad called 'Jockie's Lamentation' (*Bagford Ballads*, ii. 331).

despatch, are lists of the Scottish prisoners (*ibid.*, pp. 280, 306). A good letter from John Rushworth to the Speaker was read in the House on September 10, but, as he says, it does not 'descend to particulars' enough to add much to the other narratives. It is reprinted in the old 'Parliamentary History,' xix. 341. Rushworth himself on September 29 made a relation to the House of the state and condition of the Parliament's army, when he brought some letters captured after the battle (*ibid.*, pp. 358, 385 ; cf. 'Commons Journals,' vi. 471). Major White's narrative to the House on September 10 is represented by a few sentences in the 'Journals,' vi. 464. The Carte MSS. contain a letter from Colonel Fenwick to the President of the Council of State, which is added as an appendix to this paper. The newspapers contain little of importance, with the exception of a later relation of the victory, from the hands of an 'honourable commander in the army,' which, says 'Mercurius Politicus' for September 12-19; though it agree in the main with his Excellency's most excellent letter, yet in regard it touches more largely upon some particulars it is here inserted' (pp. 226-230). In the next number of 'Mercurius Politicus' (p. 266) is another letter 'from the hand of an honorable commander,' signed R. O., and beginning 'Since my last relation at large sent you of the battel,' which seems to prove that the author of these two letters was Colonel Robert Overton. Cromwell's despatch is reprinted at length in 'Several Proceedings in Parliament,' and in abbreviated form in 'Mercurius Politicus.' The latter also contains an abridgment of Cadwell's narrative (p. 217). Of later accounts, the most important is that of Captain John Hodgson, p. 144 of the edition of the 'Memoirs of Sir Henry Slingsby and Captain Hodgson,' published at Edinburgh in 1806, and p. 43 of the edition of Hodgson's 'Memoirs' published by Mr. J. H. Turner in 1882. Other accounts are given in Bates, 'Elenchus,' part ii. p. 106 ; Gumble's 'Life of Monk' (p. 38) ; Heath's 'Chronicle' (ed. 1663, p. 501) ; Ludlow's 'Memoirs' (ed. 1894, p. 254) ; Whitelock's 'Memorials' (iii. 236-8, ed. 1853) ; Clarendon, 'Rebellion' (xiii. 21, 22) ;

Edward Phillips's continuation of Sir Richard Baker's 'Chronicle' (ed. 1670, p. 619). Gumble's account contains one or two new details, as does that of Bates. The rest of these are of no value.

On the Scottish side there is no official narrative of the battle. There are a number of brief and rather vague accounts, containing frequently some details of value which confirm or complete each other. A mere enumeration will suffice, especially as the important passages of the authors mentioned have been quoted already in the course of this paper. Robert Baillie's 'Letters' (iii. 111), Sir James Balfour's 'Annals' (iv. 97-8), Burnet, 'History of my own Time' (i. 95, ed. Airy), 'Life of Robert Blair' (pp. 237-8), 'Diary of John Nicoll' (pp. 27, 28), 'Ancram and Lothian Correspondence' (ii. 297), Sir Edward Walker's 'Historical Discourses' (1705, p. 180), 'Memorie of the Somervills' (ii. 421), 'Collections by a Private Hand at Edinburgh' (1650-1661, printed by James Maidment, p. 28).

## APPENDIX

### *Colonel George Fenwick to the President of the Council of State*<sup>1</sup>

My Lord,—I cannot deteine good newes from your Lordship. The Lord is still the same to those that rest uppon him, Hee is the God of the Hilles as well as of the Valleyes. The Lord make all this people truly thankfull. Last night I had some inteligence of a defeate our Army had given the Scots but durst not venture to write of it, it beeing only from Scots themselves. This morning I sent out a party to gaine further inteligence, and they bring mee in word that our Army on Tuesday morning fell into the Scots quarters, have slaine 4,000, taken 10,000 prisoners, 180 colours, and 9 peeces of cannon, which was all they had, with all their baggage. Our Army is now at Dunbarr, but my Lord Generall hath not sent any hether. Though there may bee some error in these particulars, yet the substance is certaine. David Leslie, I heare, and about 4,000 horse are fled to the West. I am

Your lordships most humble servant,

G. FENWICK.

Berwick, 4 Septembr, 2 of clock afternoone.

To the right honourable the Lord President of the Councell of State theise.

<sup>1</sup> *Carte MSS.* xviii. p. 417.



## THE ALLEGED CONDEMNATION OF KING JOHN BY THE COURT OF FRANCE IN 1202

By MISS KATE NORGATE

THE scope of this paper is strictly defined by its title; its subject is the judgment said to have been pronounced upon John Lackland in 1202, and nothing else. I do not intend to discuss that other judgment which John is said to have undergone, in 1203 or later, for the murder of Arthur; nor the composition of the court before which the trial, on either or both of these occasions, is supposed to have been held. With respect to the so-called 'second condemnation' I will only say—for the sake of making my own attitude clear—that, notwithstanding the arguments recently put forth by M. Guilhiermoz<sup>1</sup> in support of its reality, I am still content to abide by the conclusion which the generality of historical scholars, on both sides of the Channel, have for the last sixteen years regarded as established by M. Bémont: that the 'condemnation of 1203' is fictitious.<sup>2</sup> My study of the evidence relating to the matter has, however, led me to form the opinion that the condemnation of 1202 is fictitious likewise. It is with reference to this point alone that I venture to offer a few considerations.

Of the events which led up to the attack made by Philip Augustus upon Normandy in the spring of 1202 we have six

<sup>1</sup> *Bibliothèque de l'Ecole des Chartes* (1899), t. lx. pp. 45-85.

<sup>2</sup> *De Johanne, cognomine Sine Terra, Anglie rege, Lutetie Parisiorum anno 1202 condemnato* (Paris, Picard, 1884); *Revue historique*, Sept.-Dec. 1886, t. xxxii. pp. 33-72, 290-311. See also *Bibliothèque de l'Ecole des Chartes*, 1899, t. lx. pp. 363-372, and *Revue historique*, Sept. 1899, t. lxxi. pp. 33-41.

contemporary, or almost contemporary, accounts. Two of these occur in the works of French historians, three in the works of English historians; the other is to be found in a letter written by Pope Innocent III. to John in October 1203. I will begin by giving these six accounts in the original words of the writers, and will afterwards compare them together.

I. RIGORD.<sup>1</sup> 'Eodem anno<sup>2</sup> . . . reversus est<sup>3</sup> rex [Francorum] apud Vernonem, ubi inter Vernonem et insulam Andeliaci habuit cum rege Angliæ colloquium in hunc modum. Rex Francorum Johannem regem Angliæ submonuit, sicut hominem suum ligium, quod pro comitatu Pictavensi et Andegavensi et pro ducatu Aquitaniæ xv diebus ab Pascha instanti revolutis Parisius veniret, super his quæ rex Franciæ adversus eum proponeret sufficienter responsurus. Sed quoniam rex Angliæ ad diem præfixum nec in propria persona venit, nec responsalem sufficientem mittere voluit, habito rex Franciæ cum principibus et baronibus suis consilio, collecto exercitu Normanniam ingressus, munitiunculam quamdam quam Boutavant vocabant funditus evertit.'

II. WILLIAM THE BRETON.<sup>4</sup> 'Interea frequens querimonia deferebatur Philippo regi magnanimo a partibus Aquitanicis de Johanne rege. . . . Ad faciendum sibi hominium etiam de ducatu Aquitaniæ, Turoniæ et Andegaviæ comitatu submonebatur [Johannes] a Philippo rege. Idem rex vero Johannes, post multos defectus, tandem pepigit quod super his omnibus mandato curiæ domini sui se supponeret, et die assignata concessit in firmiorem securitatem duo castra Philippo regi interim possidenda, ita videlicet quod si ipse judicio curiæ parere aliquatenus detrectaret, ipse Philippus eadem castra sibi et successoribus suis in perpetuum retineret. Mittuntur ergo nuncii a Philippo rege ad prædicta castra, videlicet Tilerias et Botavant, confiscanda. Sed

<sup>1</sup> *Œuvres de Rigord et de Guillaume le Breton*, ed. Delaborde (Soc. de l'Hist. de France), vol. i. pp. 151-2.

<sup>2</sup> 20 Phil. Aug. (= Oct. 31, 1201—Oct. 30, 1202).

<sup>3</sup> From Soissons, where he was in December 1201; see M. Delaborde's note, p. 151.

<sup>4</sup> *Œuvres de Rigord et de Guillaume le Breton*, ed. Delaborde, vol. i. pp. 207, 209-10.

Johannes rex, pacti immemor, eadem eis castra tradere recusavit, et ad diem judicio præfixum nec venit nec responsalem misit. . . . Rex itaque Philippus videns quod illusum erat a Johanne rege, qui nuncios suos vacuos et spe sua frustratos ad ipsum remiserat, cum magna multitudine armatorum dictam munitionem de Botavant obsedit.<sup>1</sup>

III. GERVASE OF CANTERBURY.<sup>2</sup> 'Postmodum<sup>3</sup> . . . inter reges nova discordia orta est. Anno tamen sequenti per mediatores provisum est ut apud castellum Butavant convenirent in unum, de reformanda pace habituri colloquium. Quo cum rex Francorum, nescio quid mali suspicans, venire contempserit, mandavit tandem regi Angliæ, quasi comminatorie præcipiens, quatinus post Pascha Parisius appareret, ad ea quæ sibi obicienda erant responsurus. Verum, cum rex Angliæ Johannes injunctum sibi non compleret mandatum, sed per optimos et magnos mediatores pax inter eos perpetua reformari debuisset, habito cum suis consilio, rex Franciæ subito incanduit, et exiliens archiepiscopum Cantuariensem præcepit abire; quem armatus et militibus vallatus a tergo subsequens, castrum de Butavant succendit et diruit.'

IV. RALPH OF COGGESHALL.<sup>4</sup> 'Anno MCCII . . . rex Johannes cœpit acriter expugnare comitem de Marchis, scilicet, Hugonem cognomento Brun, et fratrem ejus comitem de Eu . . . Sed cum regis infestationem comites illi ferre diutius non possent, conquesti sunt regi Philippo, quasi capitali domino, de nimia infestatione regis Angliæ, domini sui. At rex Philippus multociens mandavit regi Angliæ quatinus ab eorum expugnatione quiesceret et cum hominibus suis aliquam pacis concordiam componeret. Sed cum rex Angliæ nullatenus mandatis aut precibus regis Franciæ adquiescere voluisset, summonitus

<sup>1</sup> William has left another account of these matters in his *Philippis*, l. 6, vv. 82-205 (*Œuvres*, ed. Delaborde, vol. ii. pp. 154-9). It differs slightly in detail from the passage which I have quoted from his prose history, but agrees with it in omitting all allusion to a 'sentence' upon John.

<sup>2</sup> Ed. Stubbs, ii. pp. 93, 94.

<sup>3</sup> *I.e.* after John's visit to Paris (July, 1201).

<sup>4</sup> Ed. Stevenson, pp. 135, 136.

est per procures regni Francorum, quasi comes Aquitaniæ et Andegaviæ, quatinus ad curiam domini sui regis Franciæ Parisius veniret, et iudicium curiæ suæ subiret, domino suo de illatis injuriis responsurus et juri quod pares sui decernebant pariturus. Rex autem Angliæ, respondens se ducem esse Normannorum, allegabat se nequaquam debere ad ullum colloquium Parisius procedere, sed solummodo inter utrosque fines, regni scilicet et ducatus, ad colloquium regis occurrere : quia sic antiquitus inter ducem et regem decretum et scriptis authenticis confirmatum erat. Rex autem Philippus allegabat nequaquam justum esse ut jus suum, quod ad comitatum Aquitanicum spectabat, amitteret, si isdem esset dux Normanniæ qui et comes Aquitaniæ. Super hac autem controversia dirimenda, et aliis quampluribus de die in diem emergentibus, diutius tractatum est, et animositates utriusque regis cum crudelibus minis crescere paulatim cœperunt. Tandem vero curia regis Franciæ adunata adjudicavit regem Angliæ tota terra sua privandum, quam hactenus de regibus Franciæ ipse et progenitores sui tenuerant, eo quod fere omnia servitia eisdem terris debita per longum jam tempus facere contempserant, nec domino suo fere in aliquibus obtemperare volebant. Hoc igitur curiæ suæ iudicium rex Philippus gratanter acceptans et approbens, coadunato exercitu, confestim invasit castellum Butavant.<sup>1</sup>

V. ROGER OF WENDOVER.<sup>1</sup> ‘Anno gratiæ MCCII<sup>2</sup> rex Anglorum Johannes celebravit Natale Domini apud Argentonium in Normannia ; et in Quadragesima sequente habitum est colloquium inter reges Francorum et Anglorum juxta castellum de Guletune, ubi rex Francorum contra regem Anglorum mortali armatus odio præcepit indignanter, quatenus incontinenti redderet Arthuro, comiti Britannici, universas terras quas tenebat in partibus transmarinis, Normanniam videlicet, Turonicam, Andegaviam, et Pictaviam, multaque alia exegit ab eo, quæ rex Anglorum se minime facturum respondit. Itaque colloquium cum successus non haberet, die sequenti rex Francorum subito irruit in castrum de Butavant.’

<sup>1</sup> Ed. Hewlett, vol. i. pp. 313.

<sup>2</sup> *I.e.* 1201 in modern reckoning ; Roger's years begin on Christmas Day.

VI. INNOCENT III.<sup>1</sup> 'Verum nosse te [Johannem regem Angliæ] volumus quod rex [Franciæ] ipse non se sed te potius culpabilem esse dicit discordiæ suscitata. . . . Nuper enim nobis per suas literas et nuntios intimavit, quod . . . cum hominibus qui spectant ad feudum ejus castella et terras suas sine ratione, pro motu voluntatis propriæ, abstulisses, ipse, tanquam superior, spoliatorum querela pulsatus, tibi non semel solummodo sed sæpe mandavit ut id faceres emendari, quod licet promiseris te facturum non fecisti tamen, sed gravatos amplius aggravasti: quod ipse sustinuit ultra annum, satisfactionem expetens et exspectans. Cumque, communicato cum baronibus et hominibus suis consilio, certum tibi terminum statuisset, ut in ejus præsentia compareres, quod jus dictaret sine retractatione facturum, licet esses ligius homo ejus, nec ivisti tamen ad diem statutum nec misisti aliquem responsalem, sed mandatum ejus penitus contempsisti. Consequenter vero personaliter te convenit, et super his commonuit viva voce, cum non haberet in votis ut faceret tibi guerram, si talem te circa eum qualem tenebaris ex debito exhiberes. Verum, cum nec sic satisfacere voluisses, licet te de baronum et hominum suorum consilio difidasset, mota tamen guerra, ad te quatuor ex militibus suis misit, volens certificari per eos si velles ea quæ in ipsum commiseris emendare. Alioquin, notum tibi esse volebat quod ex tunc contra te foedus cum hominibus tuis ubicumque posset iniret. Tu autem a facie te quærentium abscondisti, et captasti absentiam, ita quod te videre nullatenus potuerunt.'

We have here :—

1. A conference between the two kings, appointed to take place early in 1202 at Boutavant, but not taking place there, owing to Philip's non-appearance (Gervase).

2. A conference actually taking place, early in 1202, 'between Vernon and Andelys' (Rigord); more precisely dated and localised by Roger of Wendover, 'in Lent,' 'at Gouleton.'

<sup>1</sup> *Epist.* l. vi. no. 167, addressed to King John, and dated October 29, 1203; Migne, *Patrol. Lat.* vol. ccxvi. cols. 183, 184.

3. A demand made at this conference by Philip, that John should surrender to Arthur all his Continental territories ; and should do 'many other things, which the King of England refused' (Roger of Wendover).

[4. On the day after the conference, beginning of war by Philip (Roger of Wendover).]

5. A citation issued to John, to appear before the French King's court at a set time (Rigord, William, Gervase, Ralph of Coggeshall, Innocent), 'pro comitatu Pictavensi et Andegavensi et pro ducatu Aquitaniæ . . . super his quæ rex Franciæ adversus eum proponeret sufficienter responsurus' (Rigord)—'ad faciendum hominum etiam de ducatu Aquitaniæ, Turoniæ et Andegaviæ' (William)—'ad ea quæ sibi obicienda erant responsurus' (Gervase)—'domino suo de illatis injuriis responsurus et juri quod pares sui decernebant pariturus' (Ralph)—'quod jus dictaret . . . facturus' (Innocent). The time set is fifteen days after Easter, *i.e.* April 28 (Rigord ; 'after Easter,' Gervase) ; the place, Paris (Gervase, Ralph).

6. An objection raised by John as to his privilege as Duke of Normandy (Ralph of Coggeshall). Long discussions over this 'and other controversies daily arising' (*ib.* ; *cf.* William the Breton, 'post multos defectus').

7. A promise of John to obey the citation, and to surrender Tillières and Boutavant in pledge meanwhile ; refusal to give up these castles when demanded by Philip's officers (William the Breton).

Thus far there is no conflict of testimony ; for the seeming contradiction between Rigord and Gervase as to the conference (1, 2) is cleared away by Roger of Wendover's statement that the meeting took place at Gouleton—a castle which stood 'between Vernon and Andelys,' on the French side of the Seine, directly opposite Boutavant on the Norman side. We may safely infer that, on learning Philip's reluctance to enter Norman territory, John crossed the river and met him on the French side of the border.<sup>1</sup> Whether

<sup>1</sup> Roger's statement is confirmed by Ralph de Diceto (ed. Stubbs, ii. 173), who says that a conference took place at Gouleton on March 25.

Roger's account of the demands made by Philip (3) rightly refers to this meeting, or to another which we shall hear of later, is open to question ; this, however, is a detail which does not affect the main subject of our inquiry. Roger's next statement (4)—that Philip began war on the day after the conference—I have placed within brackets, because it unquestionably dates Philip's attack on Boutavant much too early, and must be, for the moment at least, entirely set aside. The fact of the citation (5), vouched for by all our authorities except Roger, is beyond doubt ; the various statements of the grounds on which the citation rested involve no contradiction ; and the subsequent incidents related by Ralph of Coggeshall and William the Breton respectively (6, 7) are in no way out of harmony either with each other or with the rest of the story as related by the other writers.

But when we come to question our authorities as to the sequel of the citation—the trial and the sentence—what is their answer ?

Roger of Wendover, naturally, gives no answer at all ; he has never mentioned the citation—indeed, he evidently knew nothing of it, since he thought that open hostilities had begun on the morrow of the Lenten conference—and he has therefore, of course, nothing to say about its consequences.

The other five narratives on which we have to depend, and which have up to this point harmonised so well together, now suddenly diverge ; or rather, one of them suddenly diverges from all the rest.

8. Rigord, William, Gervase, and the Pope tell us that when the appointed day came, John failed to appear either in person or by proxy. As to the action of the court—whether it tried and sentenced him in his absence, or whether the case was stopped in consequence of his non-appearance—they are all alike silent. Two of them, Rigord and William, pass straight from John's contumacy to the beginning of hostilities by Philip ; Rigord adding that the French king acted 'by the advice of his barons.' Gervase, however, says that an attempt at pacification was made 'by great and

excellent mediators,' but that Philip suddenly lost his temper, drove the Archbishop of Canterbury—obviously one of the mediators alluded to—out of his territory, and began the war; while the Pope says that after John's failure to answer the citation, the kings had another personal interview, and only when this had come to nothing did Philip, by the advice of his barons, actually defy John and begin hostilities.

9. On the other hand, Ralph of Coggeshall gives no hint as to whether John obeyed the citation or not. He is as absolutely silent respecting John's conduct on the fatal day as the other four writers are respecting the proceedings of the court. But he positively asserts that the court condemned John to forfeiture of all the lands which he held of the king of France; and *then* he adds that Philip, 'gladly accepting and approving the sentence,' began to enforce it by attacking Boutavant.

With regard to the minor details of (8), the only discrepancy of any consequence is between Gervase and the Pope, or rather the French king, whose statements the Pope is reproducing; and this discrepancy is perhaps apparent rather than real, for the mediation of prelates and nobles, and the expedient of another personal interview between the kings, may both have been resorted to before Philip finally made up his mind to defiance and war. Innocent's mention of a personal meeting at this stage, however, throws a new light upon the confused story of Roger of Wendover, that the kings met at Gouleton in Lent, and that the war began on the next day after their conference. The war may very well have begun on the next day after their *last* conference—the conference to which there is no allusion elsewhere, except in the Pope's letter—and Roger's story may be perfectly correct, save for the chronological blunder caused by his having failed to distinguish between the two meetings.

This, however, is a minor point. The important matter to be observed is this: Out of the five contemporary authorities who mention John's *citation*, only *one* mentions his *condemnation*. And to this observation may be added another: No



mention of any judgment passed upon John in 1202 occurs in any other known document of the thirteenth century. With one doubtful exception, which will be considered later, all the references and allusions which we find during that period to a 'judgment' upon John are distinctly references and allusions to the supposed 'judgment' for the murder of Arthur. The judgment of 1202 therefore rests solely upon the testimony of one writer : Ralph of Coggeshall.

It is surely very singular that while the issue of a citation to the king of England to take his trial before the French Curia Regis, in his character of a vassal of the Crown of France, was well known to writers of the time on both sides of the Channel, the result of the trial should have reached the ears of the abbot of an obscure little monastery in Essex, but remained unknown not only to the contemporary Canterbury chronicler whose opportunities of learning what went on at the French court must have been at least as good as Ralph's,<sup>1</sup> but also to Rigord, the official historiographer of Philip Augustus—to William the Breton, Philip's chaplain, who revised and continued Rigord's work—and to the Pope, whose information respecting the transactions between the two kings from the opening of 1201 to the autumn of 1203, and especially as to the events of 1201–2, was, as he states, derived from Philip Augustus himself. I say that John's condemnation was 'unknown' to these writers, for—considering who and what they were, what were their means of information and the circumstances in which they wrote, and how integral a part of the story which they all relate would be the incident which Ralph records and they omit, if it were indeed an incident which had actually occurred—it would, I think, be stranger still had they, knowing the fact, deliberately or accidentally omitted to mention it.<sup>2</sup>

<sup>1</sup> Archbishop Hubert of Canterbury was, as has been seen, actually at the French court at the time when the sentence is supposed to have been passed.

<sup>2</sup> Such an omission would be strangest of all on the part of William the Breton, if M. Guilhaumez be right in supposing that this author, at any rate when writing his *Philippis*, 'ait eu sous les yeux des pièces de la procédure' (*Bibl. de l'Ecole des Chartes*, t. 1x. p. 76, note 2).

There is one of these writers whose testimony stands in a different category from all the rest. The letter of Pope Innocent III. from which I have given an extract was written, as has been seen, to John himself, scarcely eighteen months after the date which had been fixed for John's trial; and the historical statements contained in it are expressly declared to be a repetition, or a summary, of communications emanating directly from the person whose acquaintance with the whole course of the French king's dealings with John was the most intimate of all—the French king himself.

Unluckily, the letters in which Philip Augustus gave to the Pope an account of his dealings with John in 1201–2 are lost; their contents may therefore have included much of which there is no trace in Innocent's report of them to John. From what, through that report, we do know of their contents, I venture to think that one point may be regarded as certain: they *must* have included some mention of John's condemnation, *if that condemnation had really taken place*. For, be it remembered, the letters referred to were drawn up for the express purpose of clearing Philip, in the Pope's eyes, from the charges of unjust persecution and aggression brought against him by John. To that end Philip—as reported by Innocent—related to the Pope how for a year and more<sup>1</sup> he had vainly endeavoured to induce John to render justice to the Lusignans;—how, his remonstrances being unheeded, he had summoned John to do right in his court, and how John had despised the summons:—how, after this, he (Philip) had made another personal attempt to bring John to reason, and how, though its failure had driven him to declare war in

<sup>1</sup> *I.e.* from the opening of 1201 to the Lent of 1202. I may observe, in passing, that Ralph of Coggeshall dates the appeal of the Lusignans to Philip a year too late. He represents it as having been made in 1202. But Innocent represents Philip as stating that when he issued his citation to John—the date of which is fixed by other evidence to Lent 1202—he had been 'for more than a year,' in consequence of complaints made to him by the injured barons, vainly remonstrating with John in their behalf. It is certain that John's spoliation of the Lusignans had begun quite early in 1201; see *Rot. Chart.* p. 102 (March 6 and 8, a. r. 2).

accordance with the counsel of his barons, he was even yet reluctant to proceed to extremities and willing to give John another chance. It is surely inconceivable that Philip, while setting forth all these details in justification of his conduct towards John, should have omitted a fact which would have formed so material a part of his story, and told so strongly in his own favour, as this—that the trial of John before the great vassals of the Crown of France had resulted in a regular judicial sentence, whereby they condemned their contumacious fellow-vassal to forfeiture of all his lands, for default of service and neglect of feudal obedience on the part of himself and his forefathers.

I repeat, then, that if the sentence were a fact, it must have been mentioned in Philip's letters to the Pope. But how—since those letters are lost—are we to ascertain whether it was mentioned in them or not? The Pope's silence affords a presumption—but only a presumption—that it was not. There exists, however, another letter of Innocent III. containing a positive statement whose bearing upon this question I venture to think has not yet been fully appreciated.

On March 7, 1205, Innocent wrote to the Archbishop of Rouen and the other Norman bishops as follows :

'In litteris quas ad nostram præsentiam destinastis, perspeximus contineri quod cum charissimus in Christo filius noster Philippus rex Francorum illustris terram Normanniæ jam sibi subjugaverat ditioni, et tam a baronibus quam omnibus laicis fidelitates acceperit, nunc a vobis fidelitatem quæ duci Normanniæ fieri consuevit ab episcopis regionis ipsius, cum instantia postulare non cessat, *asserens quod, justitia præeunte, per sententiam curiæ suæ Normanniam acquisivit*, ideoque vos ad fidelitatem ei teneri præstandam. Unde quid vobis sit in hoc articulo faciendum, per nostras edoceri litteras postulastis. *Quia vero nec de iure, neq̃ de consuetudine nobis constat, utpote qui causam, modum et ordinem, aliasque circumstantias ignoramus*, idcirco super re dubia vobis non possumus certum dare responsum, nisi quod vos, qui rei veritatem potestis plenius indagare, illud prudenter

agatis quod secundum Deum de jure vel consuetudine fuerit faciendum.’<sup>1</sup>

From the passages which I have italicised we learn

1. That before March 1205 Philip Augustus had asserted to the Norman bishops that Normandy had been, by a sentence of his court, declared forfeit to the Crown.

2. That in March 1205 ‘the cause, manner, order and other circumstances’ of this sentence were unknown to the Pope.

From the first of these two passages M. Guilhiermoz argues that the existence of a decree which gave Philip a title to the confiscation of Normandy is ‘absolutely undeniable’;<sup>2</sup> and he urges that this decree must have been the result of a trial later than that of 1202, because ‘la Normandie . . . était justement restée hors de cause dans l’affaire de 1202,’<sup>3</sup> inasmuch as, ‘puisque c’était seulement le comte de Poitou et d’Anjou qui avait été ajourné, ce ne put être que le comte de Poitou et d’Anjou qui fut condamné à perdre ses fiefs.’<sup>4</sup> The former of these arguments indicates that M. Guilhiermoz has an implicit faith in the mere *ipse dixit* of Philip Augustus which I, for one, must own myself unable to share. Whether the position laid down in his other argument above quoted be correct is a question which I must leave to the decision of those who are learned in feudal law. But I would observe that, if it be so, the error of supposing Normandy to have been included in the confiscation of 1202 originated not, as M. Guilhiermoz implies,<sup>5</sup> with M. Bémont, but with Ralph of Coggeshall. For Ralph distinctly says that the court ‘adjudicavit’—*not* ‘comitem Pictaviæ et Andegaviæ,’ but—‘*regem Angliæ TOTA terra sua* privandum quam hactenus de regibus Franciæ ipse et progenitores sui tenuerant.’ M. Guilhiermoz quotes these words of Ralph’s, in a footnote to a remark of his own, that the sentence appears ‘avoir été

<sup>1</sup> Innoc. III. *Epist.* l. 8, no. 7 (Migne, *Patrol.* vol. ccxvi, col. 564).

<sup>2</sup> *Bibl. de l’Ecole des Chartes*, t. lx, p. 49, note 1.

<sup>3</sup> *Ibid.* p. 46.

<sup>4</sup> *Ibid.* p. 48, note 3.

<sup>5</sup> *Ibid.* p. 46.

conçu en termes généraux.'<sup>1</sup> But the terms as here stated by Ralph are not 'general'; they are inclusive and definite. The forfeiture is defined as extending to ALL the lands which the king of England himself and his forefathers—that is, John as a single indivisible person, and his forefathers, all or any of them, as single indivisible persons, not in any specified capacity or by any specified title—had held of the king of France.<sup>2</sup> I dare to say that it is impossible, with any show of reason, to maintain that Normandy is excluded from a sentence worded as in the version given by Ralph. And *Ralph's version of the sentence is the only existing version*; for—I must repeat it once more—*Ralph is our sole authority for the passing of any sentence at all upon John in 1202*. We must either accept Ralph's story of the condemnation as it stands, or reject it *in toto*. If we reject his version of the sentence, we practically admit that his testimony on the subject is worthless, and our sole witness for the fact of a sentence is out of court at once. If, on the other hand, we are to accept that fact on his authority, we must, I contend, take the sentence as he gives it, and admit that—legally or illegally—it included *all* John's Continental dominions, and, consequently, included Normandy.<sup>3</sup>

My inference from Innocent's letter to the Norman bishops, therefore, is directly contrary to that of M. Guilhiermoz. It appears to me impossible that the Pope could in March 1205 have declared himself 'ignorant of the cause, manner, order and other circumstances' of a judgment whereby Normandy had been pronounced forfeit to the French Crown, if the French king's own report, transmitted to Rome before October 1203, of his dealings with John had contained an account of the sentence asserted by Ralph of Coggeshall to have been passed upon John in 1202; and it

<sup>1</sup> *Ibid.* p. 48.

<sup>2</sup> See M. Bémont's commentary, *Revue historique*, t. xxxii, p. 307; and that of M. Petit-Dutaillis, t. lxxi (Sept. 1899), pp. 34, 35.

<sup>3</sup> I am happy to find myself on this point in complete accord with M. Petit-Dutaillis. I leave the above paragraph as I wrote it in July 1899, before I had seen his article, published in the *Revue historique*, Sept. 1899.

appears to me equally impossible, for the reasons which I have already given, that if such a sentence was really passed in that year, Philip should have left the Pope in official<sup>1</sup> ignorance of that fact. Therefore I infer that the sentence was not a fact, but a fiction invented by Philip in 1204-5.

The motive and circumstances of the invention may be gathered from the Pope's letter. Philip's rapid conquest of Normandy had been achieved mainly owing to the readiness of the Norman barons and people to forsake their Angevin lord and transfer their homage to the French king. But the clergy were more scrupulous than the laity about breaking an oath; the prelates of the duchy hesitated to violate the fealty which they had sworn to John as their duke. Philip discovered that, to induce them to transfer their fealty to himself, he must put forth some pretext for his conquest which should give it a show of legality. What more obvious than to assure them that the judicial proceedings, which all men knew to have been instituted against John three years before, had terminated in a legal sentence which the conqueror had merely carried into execution by force of arms? The fiction indeed was a bold one, considering how short a time had elapsed since the events to which it related; yet it seems to have served its purpose. For what did the bishops do? They do not seem to have questioned the accuracy of the statement made to them; they passed it on—evidently without note or comment—to the Pope, and asked him to dictate to them their course of action. This, however, the Pope—being, as he told them, ignorant of all the details upon which the right and wrong of the matter depended—refused to do; and the Norman Church, thus left to decide for itself,

<sup>1</sup> I allude to the distinction drawn by M. Guilhaumez (p. 65) between 'real' and 'official' ignorance on the part of the Pope. M. Guilhaumez draws this distinction in connection with the Pope's silence respecting the murder of Arthur and its (real or supposed) juridical consequences. My point is that with regard to the alleged condemnation in 1202, 'official' ignorance would have been as impossible as 'real' ignorance, had that condemnation actually taken place.

settled quietly down, like the Norman State, beneath the sceptre of Philip Augustus.

Students of Philip's character and career will, I think, admit that to charge him with such an invention as this involves no violation either of historic probability or of charity. Compared with what I cannot but call—in spite of the endeavours of M. Guilhiermoz to prove some of it truth—the elaborate mass of fiction put forth in 1216 to bolster up the claim of Philip's son to the English Crown, the fiction which I believe Philip to have invented in 1204-5 to overcome the scruples of the Norman bishops might almost pass for a white lie. It may have been the germ out of which later and greater lies were developed. At present, however, I am not concerned with any later development, but only with the truth or falsehood, and the origin, of Ralph of Coggeshall's story that John was condemned by the court of the king of France in 1202. Unless I am greatly mistaken, the evidence which I have here discussed points to the conclusion that this story is false, and that it was originated in 1204-5 by Philip Augustus.





## THE DEVELOPMENT OF POLITICAL PARTIES DURING THE REIGN OF QUEEN ANNE

(THE ALEXANDER PRIZE ESSAY FOR 1899)

BY WALTER FREWEN LORD

THE social conditions of the early years of the eighteenth century were in a high degree favourable to underhand dealings. Although England was on the verge of a great war with her secular rival, the patrolling of the Channel<sup>1</sup> seems to have been almost entirely neglected. Sloops<sup>2</sup> crossed to France, and crossed to England from France almost daily, and went and came unchallenged. H.M.S. Warspite,<sup>3</sup> on seizing a French privateer out of St. Malo, was confronted with the claim of a Yarmouth fisherman, who complained that the boat was his own; that it had been driven to sea in a storm, captured, and carried to St. Malo. Every fishing fleet<sup>4</sup> clearly ran the same risk. The presence of a Seaford peasant<sup>5</sup> having become desirable, for some undisclosed reason, he was kidnapped from his field, willingly or unwillingly, and carried to France. With the Channel in this condition it is clear that although the movements<sup>6</sup> of

<sup>1</sup> On one occasion the French fleet provisioned and watered undisturbed in British ports. *Welbeck MSS.* (Historical MSS. Commission), p. 86. The Dutch were not above trading with the French in secret, *ib.* 260.

<sup>2</sup> *State Papers, Domestic, Anne.* Mrs. Barbara Joblin to Lady Fretcheville, November 1, 1702.

<sup>3</sup> *Ibid.* Bundle 11, No. 2.

<sup>4</sup> *Ibid.* Report from Hastings, February 29, 1703.

<sup>5</sup> *Ibid.* Bundle 6, No. 36.

<sup>6</sup> *Ibid.* case of Viscount Montgomery, 1706, Bundle 10, No. 6: case of Mr. William Keith (p. 371), from whom recognisances in 3,000*l.* were taken not to leave the kingdom without permission. See also *State Papers, Domestic, Anne*, Bundle 7, No. 125.

highly placed men could be watched and controlled, obscure agents could pass and repass in perfect security, so far as the efforts of the public services were concerned. Extensive powers of arrest of suspicious persons<sup>1</sup> were enjoyed by the magistracy, but the public services<sup>2</sup> were themselves not above suspicion.

Such were the easy circumstances in which any man who was tempted to become a secret agent would have found it his duty to carry out his instructions. Of such men<sup>3</sup> there was no lack. Protestants expelled from France, Roman Catholics suffering under disabilities in England, Protestants pretending to be Roman Catholics, Roman Catholics pretending to be Protestants, disobliged servants of the numerous princes of Germany, discharged soldiers and sailors, formed a body of discontented, unscrupulous agents whose movements it was hard to trace and impossible to control. The laws were fierce<sup>4</sup>: children were condemned to death for thefts, and one poor woman, whose husband had been in the respectable position of Gentleman of the Horse to the Duke of Zell, prayed that the penalty of hanging in chains might be reduced<sup>5</sup> to that of death by hanging only, as she was unable to leave Turnham Green, the place where the grim sentence was to be carried out. When the very guard<sup>6</sup> on duty at St. James's plundered houses in Pall Mall, and the civil watch was afraid to pursue the thieves beyond the doors

<sup>1</sup> See the case of Austin Belson at Hull in the year 1704, *State Papers, Domestic*, Anne, Bundle 3, No. 119; and of the fishing smack of London, 1706, Bundle 10, No. 33.

<sup>2</sup> See the papers relative to a secret understanding between the British Consul at Calais and the Deal smugglers (*State Papers, Domestic*, Anne, Bundle 12, No. 55). See *Welbeck MSS.* p. 322. 'Mayor of Deal and Mr. Secretary Hedges,' no less a person than Mr. Harley being implicated.

<sup>3</sup> See *Welbeck MSS.* pp. 114, 117, 118, 160, 174, 185, 210, 240, 249, 260, 304.

<sup>4</sup> See petitions for mercy, *State Papers, Domestic*, Anne, Bundle 10, No. 92 (case of a child thirteen years old) and *Ibid.* No. 116 (case of a child of ten).

<sup>5</sup> See case of Roger Lowen, petition of Mrs. Lowen (*State Papers, Domestic*, Anne, Bundle 10, No. 49). Lowen had murdered Mr. Richard Lloyd.

<sup>6</sup> *State Papers, Domestic*, Anne, Bundle 9, No. 109.

of the guardhouse, it seems but a feeble precaution to watch coffee-houses<sup>1</sup> for Jacobite agents. When Pall Mall and the British Channel were insecure it is not surprising to find that the authority of the Crown practically disappeared in distant seas. The French Company of Senegal<sup>2</sup> and the Royal African Company agreed to disregard altogether the hostilities carried on by their respective Governments,<sup>3</sup> and even to give each other help. Where either side found it profitable to prey on the trade of the other,<sup>4</sup> privateering<sup>5</sup> was actively carried on. Captain Kidd's memory was still fresh: his victims haunted the Law Courts.<sup>6</sup> Trade was very bad. Fortunes were made undoubtedly, but they were made out of army contracts. The emphatically pacific policy of Walpole in later years may be profitably considered in connection with the bitter complaints of the tradesmen of London in the time of Queen Anne. Complaints from dealers in luxuries<sup>7</sup> are not, perhaps, conclusive, but they are significant; and it is to be remembered that the expenditure of the Court, when out of mourning, was a much larger fraction of the total

<sup>1</sup> *State Papers, Domestic*, Anne, Bundle 9, No. 117, 341; in particular 'The Bell' and 'John o' Gaunt's.' November, 1706, Harley's agents affected the 'Boot and Slipper' in Drury Lane and the 'Peruque' in Throgmorton Street, *Welbeck MSS.* 258.

<sup>2</sup> *Ibid.* Bundle 5, No. 141.

<sup>3</sup> *Ibid.* Bundle 14, No. 67. See also *Transactions of Royal Historical Society* (N.S.), vol. ix. Although attacked in every other war between France and England, Goree was unmolested 1693-1758.

<sup>4</sup> The Martinico privateering fleet numbered twenty-two vessels. *State Papers, Domestic*, Anne, Bundle 7, No. 68.

<sup>5</sup> St. Malo was a nest of privateers. See *Welbeck Papers*, January 5, 1705.

<sup>6</sup> Case of Mr. Corso, who claimed 20,000*l.* *State Papers, Domestic*, Anne, Bundle 7, No. 122, and Bundle 11, No. 114.

<sup>7</sup> *State Papers, Domestic*, Anne, Bundle 11, No. 7; petition of Turkey and Italy merchants to shorten the period of mourning. *Ib.* Bundle 10, No. 78, petition of lacemakers to shorten the period of mourning. See also *Wentworth Papers*, ed. 1883, p. 40: 'The Queen would not give them a Baul nor Play.' Isabella Lady Wentworth to Lord Raby, March 9, 1705. See also p. 104, Peter Wentworth to his brother, January 24, 1710: 'The Court is still in deep mourning.' *Ib.* February 14, 1710: 'Everybody is in as deep mourning as ever,' p. 107.

'On Sunday Her Majesty will go into mourning for the Queen of Prussia, to the great mortification of the shopkeepers.' *Wentworth Papers*, February 6, 1705.

The bearing of these quotations is that the absence of social activity caused extra tension in the political atmosphere, an atmosphere already highly charged.

expenditure of London society in the reign of Queen Anne than it is two hundred years later. The Queen, whose family feelings were very strong, appears to have partly relaxed the regulations, and then to have repented of her indulgence.<sup>1</sup> Appeals to ladies to 'wear English stuffs and leave off the Indian trumperies'<sup>2</sup> tell in the same direction.

The bearing of these opening remarks on the history of the development of parties in the reign of Queen Anne may be briefly indicated. It is this, that in view of a society so strangely disturbed it is hopeless to trace the secret springs of any political movement. The opportunities for underhand dealing were innumerable; the number of secret agents, avowed or potential, available for purposes of intrigue was never so great as in the years that we have under consideration. The fabric of English country society, which has borne so many strains, bore the stress of these times of war, and the government of the country was carried on. Only towards the end of the war did the country gentlemen begin to complain that if the hostilities were carried on much longer there would be nobody left in the land but the labourers.<sup>3</sup> But in the capital and on the sea-coast all was in solution: nobody was contented, or even settled; from the newly-made peer down to the outcast of the dock or the countryside everyone was open to advances from either party. Attempts to give accounts of what went on below the surface<sup>4</sup> have been

<sup>1</sup> See *Wentworth Papers*, ed. 1883, p. 82. Peter Wentworth to Lord Raby, April 5, 1709.

<sup>2</sup> 'England to be wall'd with Gold,' 1700, *Brit. Mus. Cat.* 816, m. 12, heading Abel Boyer. See also in same volume 'On the Decay of Trade,' 'How to Revive the Golden Age,' 'The Case of the Fair Trader,' 'The British Merchant, or Commerce Preserved,' all published between 1696 and 1714.

<sup>3</sup> Ranke, *History of England*.

<sup>4</sup> Such as Mrs. Manley's 'Secret memoirs . . . of several persons of quality,' (*Brit. Mus. Cat.* 1081, m. 2), a dreadfully improper work. 'The Secret History of State Intrigues in the Management of the Scepter,' 1712. *Brit. Mus. Cat.* 950 s. bbb. 15, a mere volume of verbiage.

Contemporary readers found it interesting. 'Mrs. Manley, the author of the *New Atlantis*, is admitted to bail.' Luttrell [ed. 1857, vol. vi. p. 508]. She was on bail from November 7, 1709, till February 13, 1710, and was then discharged (*ib.* 546).

made, but they help us very little. All that can be achieved with certainty is to narrate the changes in the constitution of the two great parties, accepting as landmarks the political and religious issues which brought about these changes, and leaving untraced, and even unsought, the tale of broken fortunes, broken pledges, treasonable correspondence, bribes offered, taken, and refused that may lie behind these historic issues.

'The Tories<sup>1</sup> claimed for the House of Commons<sup>2</sup> as against the people, the House of Lords and the King, all the rights which according to the dominant view spring from the representation of the people. The Whigs claimed for the people the right of expressing their opinion on public affairs even in opposition to their representatives; they looked with more favour on the independence of the House of Lords and the King's prerogative. The Tories treated the State as strictly established, parliamentary, and constitutional; the Whigs<sup>3</sup> had a slight tincture of both democracy and monarchy combined.' This is a sound statement of the difference between the two parties. But there were other points, points of minor importance apparently, on which the Whigs and

<sup>1</sup> Ranke, *History of England*, vol. v. p. 291; Cunningham, *History of England*, ed. 1787, vol. ii. pp. 339-40.

<sup>2</sup> The Tories 'would defend their King against any demands of his people, but they could not endure that he should be independent of themselves.' Cooke, *History of Party*, ed. 1836, vol. i. p. 20.

<sup>3</sup> The origin and significance of these two names not being yet authoritatively settled, it may be worth while to indicate Rapin ('Whigs and Tories,' London, Curll, 1717, p. 21. He says that Tories were Irish banditti and Whigs were Scotch banditti; that as the King was reported to be enlisting Irish aid his enemies called his party by the most offensive Irish name with which they were acquainted; and that as the King's enemies were known to be sympathetic with Scotch Presbyterians, the King's friends selected the most offensive Scotch term of abuse to describe both the party opposing the King and the allies of that party.

'Whigs, who were, in Scotland, the same sort of banditti as the Tories in Ireland.'

Lord Cowper submitted to George I. what he called 'An Impartial History of Parties.' He does not define 'Whig' or 'Tory,' and alludes to the 'paper war carried on under these names without emphasis. See the paper printed in Lord Campbell's *Lives*, iv. 422.

Tories came into more violent antagonism than that which characterised their mutual attitude over constitutional questions. These points were two, viz. foreign politics and religion. As regards foreign politics the Whigs were the inheritors of the traditions of William the Third, according to which it was impossible for the Empire to be too strong or for France to be too weak. Once only, it was remembered, had the Empire grown to be a menace to European liberty. Ordinarily the complicated constitution of the Holy Roman Empire, the geographical situation of Austria, and the rivalry of the Electors prevented the Emperor from attaining to a dominating position. But when family arrangements added the Low Countries and Spain to the dominions of the Imperial Crown, the world was seriously menaced with a universal dominion under the House of Habsburg. That which had made the House of Habsburg a terror to the sixteenth century was making the House of Bourbon a terror to the eighteenth. Europe would be powerless in the face of a monarch commanding the resources of France, Spain, and the Netherlands. English trade abroad would be strangled by the same power uniting the Spanish and French West Indies, the Spanish Main and the Eastern Archipelago in one commercial system. In one sentence the Whig policy was summed up: 'Any war is better than a peace that does not settle King Charles in Spain.'<sup>1</sup> The Tory view of foreign policy began by being practically identical with this view,

<sup>1</sup> Duke of Shrewsbury to Mr. Delafaye, October 5, 1706. *State Papers, Domestic*, Anne, Bundle 9, No. 70.

Note on the Duke of Shrewsbury: 'He was mightily esteemed by King William, he was twice Secretary of State, and at last Lord Chamberlain,' a Whig of the Whigs. Yet he accepted office in the *coup d'État* of 1710, and became Tory Lord Chamberlain in succession to the Whig Duke of Kent. 'He went and lived for some years in Rome, where he married \* a lady very poor and of an indifferent reputation, which lost him his credit amongst his old friends. I suppose that vexed him and made him fall in with Mr. Harley, who procured him this employment.' *Wentworth Papers*, ed. 1883, p. 134. Memoir in Lord Raby's handwriting.

\* For a notice of this lady (*nata* Paliotti) see Mr. Speaker Onslow's note on the Duke of Shrewsbury in Burnet, ed. 1823, vol. v. p. 438, note *h*.

tinged, however, with a kindness for France which was derived from old memories of the Court of Charles the Second, who was half a Frenchman. Later on, when France was brought low, it could be represented to the constituencies that the war was being prosecuted solely in the interests of Austria,<sup>1</sup> and a general revolt of the country constituencies resulted. The old kindness for France sharpened (under the pressure of war taxes) into antagonism to the war, and grew into furious hostility to the Whigs when the question of the succession to the Crown of England came to be seriously discussed, and England had to choose a king from either Germany or France. In religious matters the line of cleavage was even more definitely marked, and showed itself even earlier than the differences on the question of foreign policy. The Whigs continued the policy of William the Third, the king who had hoped for the union of the Dutch and English Churches, and who could not be induced to take seriously the doctrine of the Apostolical Succession. The Tories cherished a noble pride in the English Church. They gloried in her traditions, her present pomp, and her future of influence for good. They probably were really unable to comprehend why anyone should desire to remain outside her communion save from pure malignity. It is useless to ignore the fact that a party associated by habits and enthusiasm with so much that was elevating and dignified permitted itself scandalous excesses in controversy.<sup>2</sup> Neither

<sup>1</sup> Ranke, *History of England*, vol. v. Compare Macpherson, ed. 1775, vol. ii. p. 430. Compare Charles de Rémusat, *L'Angleterre au Dix-huitième Siècle*, ed. 1856, vol. ii. p. 207, an admirable passage. 'Peace, which the Landed-Men, half ruined by the war, do so extremely want and desire.' Letter to a *Whig* Lord. London, John Morphew, 1712.

<sup>2</sup> It appears that there was a club entitled the Calf's Head Club, that made a point of dining off calf's head every 30th of January in mockery of the Tory grief for the memory of Charles the Martyr. It was in odious taste, but the Tory pamphlet\* 'The Whigs unmask'd' (*Brit. Mus. Cat.* 292, f. 17), denouncing it, described the Calf's Head Club Man as 'the Spawn of a Regicide, hammered out of a rank Anabaptist Hypocrite,' and further it is difficult to quote. Sir John

\* Published (it is right to remember) in 1714, when Tory exasperation was at its height.

side was blameless,<sup>1</sup> but the Whigs were more moderate as a rule.

King William the Third died on March 8, 1702. Six days later the Lord Keeper of the Privy Seal received the Queen's warrant to issue letters patent appointing the Duke of Marlborough to be Captain-General of the Forces.<sup>2</sup> The Whig Ministers were dismissed. The Great Seal was put into commission.<sup>3</sup> Nottingham and Hedges became Secretaries of State, and Godolphin was made Lord Treasurer. He retained this appointment until August 8, 1710, when the Treasury was put into commission, with Harley as Chancellor.<sup>4</sup> The Tories were thus completely masters of the situation. The Queen's sympathies were with them; the parliamentary majority was on their side. It would have been difficult for the Whigs to discover any possible ground of contention had not the Tories provided one, for the policy of war with France, to which the Tories were pledged, was essentially a Whig policy. The Whigs could hardly oppose the Tories effectively in either House without stultifying

Denham condescended to contribute to the volume some verses on 'The True Presbyterian,' beginning

'A Presbyter is such a monstrous thing,  
As loves democracy and hates a king.

The Whigs were generally called Presbyters, especially on the Continent, where fine distinctions were not understood. The book contains a woodcut of Oliver Cromwell in Council, the Devil presiding and seated between Bradshaw and Cromwell. After these extravagances the denunciation of the Whigs as 'mercenary, oppressive, and imperious in power,' loving intrigue 'as dearly as a iilt,' seems commonplace.

<sup>1</sup> Election mobs are hardly typical of party manners, but the Chester County Election of May 1705 resulted in the Whigs saluting a party of clergymen coming to vote with cries, 'Hell is broke loose, and these are the Devil's Black Guard.' They broke the cathedral windows. *Welbeck MSS.* 189. No Tory mob did worse than this, and the pamphlet 'Vox Populi Vox Dei' (*B.M.C.* 8005 *c*), describing passive obedience as 'damnable and treasonable,' does not err on the side of moderation.

<sup>2</sup> *State Papers, Domestic*, Anne, March 14, 1702, Bundle 1, No. 3.

<sup>3</sup> Subsequently given to Nathan Wright, with the title 'Lord Keeper,' not Lord Chancellor.

<sup>4</sup> *Wentworth Papers*, ed. 1883, pp. 130-31. The other Commissioners were Paulet, Mansell, Paget, and Benson.



themselves. Between March 1702 and the end of 1705 they had contrived to lose the confidence of the country and their majority in the House of Commons. The high Tory Cabinet had been broken up, and its place taken by a coalition, whose chief work was the legislative union of England and Scotland,<sup>1</sup> and whose career was illumined by the renown of Ramillies, and by considerable military successes in Spain and Northern Italy. All these achievements might have been set down to the credit of the Tory party but for the headstrong conduct of the Commons; conduct which resulted in the Ministry of 1705 containing only two firm Tories, Godolphin and Marlborough, of whom one (Marlborough) was constantly absent from England. Other members of the Ministry were no less sturdy Whigs than Sunderland (1706) and Halifax; both members of the 'Junto,'<sup>2</sup> and one of them (Sunderland)<sup>3</sup> a 'violent' Whig. Harley and St. John<sup>4</sup> represented the moderate Tory element. The cause of this transformation of a Tory into a Whig Cabinet in the short space of three years, when all the advantages were from the outset on the side of the Tories, may be very shortly stated: it was the Church policy of the Tories.

As a matter of policy the Tories would have done well to remember the short lives of the two parliaments preceding that of 1702, in which they had so great a majority. The

<sup>1</sup> 'The managing Whigs, such as Lord Wharton, Lords Somers and Halifax, and *even Mr. Harley* . . . are really the greatest enemies to the Union . . . because it is by the present confusion and difference that they make themselves necessary to a Court that, in their heart, hates them.' Major Cranstoun to Robert Cunningham, *Welbeck MSS.* 250. Cranstoun was a Whig officer, and this letter reflects the confused impression that the conduct of affairs left in the mind of an observer serving abroad with the army.

<sup>2</sup> Of whom the other members were Somers, Wharton, and Russell, Lord Orford.

<sup>3</sup> 'Lord Sunderland was always a violent Whig, very violent in the House of Commons during his father's lifetime, and continued so in the House of Lords after his death' (*Wentworth Papers*, ed. 1883, p. 135).

<sup>4</sup> The early relations of these two remarkable men were affectionate. To St. John, Harley was 'dear Master,' 'his good-natured Robin' (*Welbeck MSS.* pp. 176, 180, 219, 223, 257); St. John was Harley's 'faithful Harry.'

Parliament of 1701 was vehemently Tory. It was opposed to the maintenance of standing armies, to the contraction of further debts, and to the lavish subsidies granted to Continental princes. It was of opinion that England ought to accept the will of Charles the Second of Spain. It seriously hampered the King in his foreign policy, and was only made to waver in its opposition to his ambition by the occupation of the Barrier Fortresses.<sup>1</sup> This was a serious mistake on the part of Louis, if he cherished any desire to secure the neutrality of England. He followed it up by the even worse blunder<sup>2</sup> of recognising the Pretender. The Parliament of December 1701 contained, chiefly as the consequence of Louis' perversity, a large majority of Whigs. The death of the King was followed by another change, equally sudden and violent; and in the Parliament of 1702<sup>3</sup> the Tories found themselves in the majority of two to one. They proceeded to make use of their power in a manner most injurious to their own party and to the interests of the nation. Oblivious of the fact that two majorities almost as great as their own had been swept away in the course of the preceding twelve months, they introduced the Bill against occasional conformity. As regards this famous Bill, though we may blame their bigotry and censure alike their patriotism and their parliamentary tactics, we cannot, as a matter of history, maintain that they were attempting to solidify in legislation<sup>4</sup> a transient phase of opinion. The nation was undoubtedly with them.

A Tory commander-in-chief,<sup>5</sup> relying on a Tory Lord

<sup>1</sup> Luxemburg, Namur, Mons, Charleroi, Nieuport, Ostend.

<sup>2</sup> September 17, 1701.

<sup>3</sup> Lecky, *History of England in the Eighteenth Century*, vol. i. p. 33.

<sup>4</sup> This view is taken by Cooke, *History of Party*, i. 576, ed. 1837.

<sup>5</sup> See *Brit. Mus. Cat.* 1855, c. 4 (61). The war 'to which doubtless the purses and prayers of those that are excluded in this Bill contributed.' The same pamphlet points out how the Bill will 'set old wounds a-bleeding,' and states, 'The churches were never so full since 1660, the Dissenters never so modest and tractable . . . it hath been almost equal with many of them to go to church or to their meeting-houses.' The object of the Bill is thus described: 'That things must be restored to their old foundations as they were before the

Treasurer to provision his forces from taxes levied on Whigs, suddenly found that the Whig support, upon which both Ministers counted, was being withdrawn from them in consequence of the action of a Tory majority of the House of Commons. The aim of this famous measure may be briefly indicated. The Test Acts were found to be inoperative against Dissenters. The Bill against occasional conformity was designed to exclude from public office those numerous and deserving Christians who saw nothing wrong in communicating, according to the rites of the Church, a sufficient number of times in a year as a qualification for public office, and in attending the services of their own places of worship during the remainder of the year. The nation at large profoundly disapproved such conduct, and the Bill against occasional conformity was thrice passed by the Commons and thrice rejected by a Whig majority of the House of Lords. In 1702, when the Bill was first introduced, the Court<sup>1</sup> was enthusiastically in its favour. In 1703, under pressure from Marlborough and his wife, the Court became coldly neutral; in 1704, as the murmurs of the Whigs grew louder, the Court became decidedly hostile.<sup>2</sup> A crisis was Civil Wars. That the old Dissenters may be allow'd indeed to die of their own communion, but that their children ought to be taken from them and bred in that of the Church of England.' There follows a warning: 'Were we part of the Continent . . . we should find something else to do than quarrel among ourselves.' The Bill was compared to the Edict of Nantes, which was 'such a sensible Stab to the Natural and Intrinsic Strength of France that Ages will hardly recover.' Compare 'Some Queries on the Bill,' from which may be extracted these:

1. Doth it not offer a strong temptation to the prophane and vicious to play the shameful hypocrite?

2. Upon what design are notorious Jacobites and Non-Jurors the fiercest writers for this Bill?

3. How come the Papists everywhere to be such great friends to it?

Compare 'Occasional Conformity a most unjustifiable practice,' 1704. *Brit. Mus. Cat. Political Tracts*, 1708, 1710. E. 1981, 43 and 110 f. 34.

<sup>1</sup> The Bishops were equally divided. Burnet, *History of Own Time*, vol. v. p. 106.

<sup>2</sup> The Earl of Nottingham's 'insignificant manner of executing the office of S — of S —, and all other in their respective stations who, appearing to drive at a despotic management, were hurrying the Nation on into Dangerous Confusion.' Conduct of Parties, 110, d. 52 (Defoe), 1712.

evidently at hand. The bill was the first of several imprudent steps taken by the Tories ; steps which led them further and further from place and power, and finally took them where they stood for a generation, a party whose patriotism was openly discredited. Nottingham,<sup>1</sup> the most unbending of the Tories,† was marked for disgrace. He was succeeded by Harley,<sup>2</sup> the Minister who was perhaps most agreeable personally to the Queen<sup>3</sup> of all who served her. The Tory Lord Chamberlain, the Earl of Jersey, was succeeded by a Whig, the Earl of Kent. St. John entered office for the first time as successor to Blaithe, and Seymour, the Controller of the Household, was displaced in favour of Mr. Mansell. All these changes were made during the recess of 1704. Seymour was a typical English country gentleman : his name came to stand for the last expression of Tory obstinacy and wrongheadedness.’<sup>4</sup>

<sup>1</sup> ‘He could hardly live in common charity with men of moderate principles.’ Macpherson, ii. 290, ed. 1775.

<sup>2</sup> Harley was sworn in as Secretary of State May 18, 1704 (*Welbeck MSS.* p. 84). Harley’s appointment was very agreeable to Marlborough. See P.R.O. Military Expedition.

‘Camp of Great Heppach : June 1, 1704.

‘Sir,—I am favoured with your letter of the 15<sup>th</sup> past, and hope the office you are entered upon will be no less agreeable to you then your services here in advantage to the Publick, to both which I am assured Her Maty. had especial regard, in the choice she has been pleased to make of a person so fitly qualified by experience and fidelity for a post of that importance and trust. In my own particular I am sensible of the advantage I shall reap by it in having so good a friend near Her Maty.’s Person to represent in the truest light my faithful endeavours for Her Service, and the advantage to the Publick, which shall always be my sole aim wherever I am, and wherein I must very much depend on your good advice and direction for my guidance.’

† Secretary of State, N.D. ‘The Tories would trust none but Nottingham ; and Nottingham would serve with none but Hedges.’ Burnet, *History of Own Time*, ed. 1823, vol. v. p. 10.

<sup>3</sup> Swift gives a discreditable reason for Harley’s position. His failings, so says Swift, were the same as the Queen’s. ‘That incurable disease, either of negligence or procrastination, which influenced every action both of the Queen and the Earl of Oxford.’ *Memoirs relating to the change in the Queen’s Ministry*, ed. Nimmo, 1876, p. 218, col. 2.

<sup>4</sup> See *Somers’ Tracts*, ed. 1748, vol. iii. p. 74 . . . ‘The black lists, with the Seymours and the Musgraves, &c., watching all opportunities to embroil the affairs of the Government in order to bring about the grand design of subverting

Thus was the Tory Cabinet of 1704 broken up. The tactics of the party had been deplorable. Their attempt to force conformity on the nation by tacking the Bill to supply destroyed their reputation as respecters of the constitution. The pamphlet war which had raged round the question had passed all license ; even the Queen was attacked.<sup>1</sup> When the Queen was not spared still less was Marlborough. The Queen raised him two steps in the peerage ; the Tory Commons surlily refused a grant to accompany the dukedom.<sup>2</sup> The Duke, they maintained, was no friend of the Church. To what religion did he belong then ? queried the Whig pamphleteer, defending the Tory Duke. 'We're certain he's no Quaker,' is the reply, finely alluding to the Duke's military successes.<sup>3</sup>

It would have been difficult for Marlborough to have acted in this crisis otherwise than as he did. To come to terms with the Whigs was indispensable, whether for the safety of the kingdom, the prosecution of the war, or the fulfilment of our engagements to the Allies. But the result was to throw considerable power into the hands of the Junto, and to confuse<sup>4</sup>

it, which they had so nearly accomplished.' Cooke, *History of Party*, ed. 1836, vol. i. p. 560, says that Musgrave was reputed a pensioner of Louis XIV. Hardwicke (note in Burnet, v. 150) calls him 'ignorant and violent.'

<sup>1</sup> 'Caressing the Queen's Majesty with the title of Queen . . . is a barbarous Treachery to the whole Nation . . . and a villainous attempt to destroy the present Settlement of Succession.' Legion's humble address to the Lords, 1703. See *Somers' Tracts*, vol. iii. p. 124. 100*l.* reward was offered for the discovery of the author of this libel and 50*l.* for the printer. The author was a Cal's Head Club man, one Pierce, *alias* Allen (*Welbeck MSS.* p. 164). He fled to Scotland.

<sup>2</sup> See (among many references) *Memoirs of Sarah Duchess of Marlborough*, ed. 1839, vol. i. pp. 388, 389, 390. 'Marlborough never forgave the Tories,' p. 391. See also Macpherson, *History of Great Britain*, ed. 1775, p. 247.

<sup>3</sup> *The Memorial of the State of England*, London, 1705. *Brit. Mus. Cat.* 101, c. 36.

<sup>4</sup> 'Whig and Tory . . . want an explanation no less than the rest. (*Memorial of the State of England*). The same memorial offers a definition :— 'The late Revolution, with the Acts consequential to it, is the most infallible test whereby to distinguish and discover the true Whigs,' p. 79. The full title of the pamphlet is, 'The Memorial of the State of England, in vindication of the Queen, the Church, and the Administration, designed to rectify the mutual mistakes of Protestants and to unite their affections in defence of our Religion and Liberty.'

parties inextricably.<sup>1</sup> From a moderate Whig pamphlet of the period we can extract this useful definition of Whig policy, coupled with a not unreasonable forecast of what the Tory party was coming to :—‘ But in particular we sincerely aim’d at three things : that the Church may not be disturb’d by imaginary Fears of the Dissenters forming any Designs against her National Establishment ; that the Dissenters may be convinc’d ’tis neither their Interest nor in their power to destroy the Church ; and that everybody may perceive what a perfect Harmony there is between all the Subjects of this Kingdom *to perpetuate the toleration of Religions* except a certain faction (more considerable for their noise than for their number) who sedulously endeavour to set the Queen against all the rest that they may the easier set up a King of their own against her Majesty.’ Remembering the ‘ Queries in the Bill against occasional Conformity,’<sup>2</sup> it is important to note this phrase :<sup>3</sup> ‘ One of the enemy’s devices was to exasperate the Church against the Nonconformists.’ This, then, was the result of the Tory Church policy of 1702 to 1704 ; that the Tory party<sup>4</sup> was stigmatised<sup>5</sup> as the friends of an alien prince and the foci of religious toleration. Only Marlborough could conduct the war, and the war must be carried on ; but his friends in England could only be trusted when yoked with Whigs.<sup>6</sup> The Tory indifference to the war had so greatly changed the mind of the country that the elections of 1705 resulted in the

<sup>1</sup> *Memorial*, p. 41.

<sup>2</sup> *Supra*, p. 79, query 3.

<sup>3</sup> *Memorial*, p. 9.

<sup>4</sup> Cf. Burnet, *History of Own Time*, vol. v. p. 107, ed. 1823. ‘ The Jacobites desired to raise such a flame among us as might make it scarce possible to carry on the war.’

<sup>5</sup> ‘ The friends of France are Tories and her enemies Whigs.’ Rapin, *Dissertation sur les Whigs et les Tories* (London, Curll, 1717, p. v).

<sup>6</sup> And moderate Tories, of whom Harley was the type. Sir Richard Cocks to Lord Berkeley, May 27, 1704. ‘ Most people in the Protestant interest are pleased with his preferment ’ (*i.e.* Mr. Harley’s). *Welbeck MSS.* ed. 1897, p. 86. Harley’s attitude on Church matters underwent considerable modification. In 1704 the Dean of Christ Church, Oxford, was ‘ most heartily and entirely your humble servant ’ (*Welbeck MSS.* p. 116). But in 1710 Harley was to the Dean ‘ that spawn of a Presbyterian, Harley.’ *Wentworth Papers*, October 20, 1710.

return of a large Whig majority. Further changes in the Ministry immediately followed. The Duke of Buckingham (formerly Marquis of Normanby) resigned the Privy Seal, and the Whig Duke of Newcastle succeeded him. Walpole took office the same year—for the first time—entering the Admiralty, and, most important change of all, the Great Seal, was taken from Nathan Wright<sup>1</sup> (a lawyer whom not even his own party admitted to be competent) and conferred on a brilliant Whig, William first Earl Cowper. All these changes caused the most poignant grief to the Queen;<sup>2</sup> grief which the Tory party, with an infatuation hardly consistent with sanity, proceeded to accentuate by bringing forward the most offensive motion that they could have devised.<sup>3</sup> This was a motion for bringing over the Electress Sophia to reside in England. The Whigs replied by a moderate and sensible Regency Bill.

Nothing could reconcile Queen Anne to the Whigs; nothing could alienate her from the Tories. Therefore at this date (1707) we have to consider that the Tories had one party asset, the Queen's affection; the Whigs had one party asset, the war. Both holds on power were insecure. The Queen's Tory sympathies concentrated in personal attachment<sup>4</sup> to

<sup>1</sup> Who had been Lord Keeper in the Tory Cabinet of 1701 (Coxe, vol. i. p. 59).

<sup>2</sup> Lecky, *Hist. Eng. Eighteenth Century*, vol. i. p. 43.

<sup>3</sup> If Tory genius was brilliant, and Tory attachment to principle as remarkable as the Whig attachment to expediency, it is no less true that in framing measures adapted to passing party needs the Tories were not to be compared with the Whigs for sagacity and resource. Consider this imbecile measure side by side with the report (no less imbecile surely), industriously circulated by the Tories, that the Electoral Family of Hanover had no desire for the Crown of England (*Marchmont Papers*, ed. 1831, vol. i. p. xxxix).

The only Whig measure comparable to this for futility is the trial of Sacheverell, and this is in the nature of the exception that proves the rule, for the trial was a desperate attempt to save a losing battle. The party was wrought up to it by the exasperation of finding resistance where they least expected it (in the Queen's will), and determined at one blow to crush the spirit that threatened them in the country. Godolphin's annoyance at being called 'Volpone' had comparatively little to do with the Whig policy. Godolphin was completely under the thumb of the Junto.

<sup>4</sup> 'The Queen had a great opinion of Mr. Harley's integrity and abilities.' Swift, *Memoir relating to the Change in the Queen's Ministry*, ed. 1876, p. 219, vol. ii.

Harley, who represented the failing party in the Cabinet, but who strengthened his position by an alliance with Mrs. Masham. But this aroused the jealousy of Marlborough. From Godolphin Marlborough could get no help. A respectable servant in the best sense of both words, Godolphin<sup>1</sup> had no hold whatever on the mind of the Queen. From the year 1708 he was steadily losing influence. No doubt his family connection with Marlborough entailed a share of the dislike with which the Queen came to regard the Duke after Harley's dismissal, now to be related; and when he was dismissed, after eight years' tenure of office, the Queen was pleased to humiliate as well as dismiss him.<sup>2</sup>

In the year 1708 Marlborough's position may be thus defined:—Abroad his position, always strong, had been greatly strengthened by the events of Altrannstadt.<sup>3</sup> The defeat of Almanza had not seriously affected his position. It had been mitigated by the conquest of Minorca. At home he was alienated from his party; that party was discredited in the country. Their rivals the Whigs gained every day, and the abortive attempt of the French in Scotland helped them to still greater popularity. In the Cabinet Harley, St. John, and Godolphin were the hope of the Tories; but Godolphin had no influence with the Queen;<sup>4</sup> St. John's volatile nature and extraordinary licentiousness did not commend him. There

<sup>1</sup> Swift, *Memoir*, *ut supra*, 219, i.: 'His lordship . . . was, upon all occasions, much too arbitrary and obtruding.'

<sup>2</sup> Peter Wentworth to Lord Raby (*Wentworth Papers*, ed. 1883, p. 130): 'The Queen writ him a letter and sent it by a Groom to tell him 'twas for her service that the Treasury shou'd be in commission, so he might break his staff at home; she would not give him the trouble to bring it to Kingsenton.'

<sup>3</sup> See *Transactions Royal Historical Society*, vol. xii. (N.S.), p. 103. Marlborough at Altrannstadt, by A. E. Stamp.

<sup>4</sup> Godolphin answered the Queen's messenger with astonishing insolence. 'The command was sent by a livery servant and handed to the earl's porter, and the earl, enraged by this insult, in a disrespectful manner broke the staff, and threw the pieces into the chimney.' Swift, *ut supra*, 221, n. Lord Dartmouth (note on Burnet, ed. 1823, vol. vi. p. 9, note c) traverses this account. According to Lord Dartmouth the Queen's behaviour was polite, if somewhat unceremonious—a much more probable story. Nevertheless Peter Wentworth is a good authority.



remained Harley. Harley was certainly gaining influence ; but he was gaining it by means which threatened Marlborough's own ascendancy.<sup>1</sup> Mr. Harley must be got rid of. This would imply Marlborough's final and definite capitulation to the Whigs : he determined on that step.

Mr. Harley was removed from office without any difficulty. Marlborough and Godolphin placed their resignations in the Queen's hands.<sup>2</sup> Godolphin the Queen would have made no attempt to retain, but Marlborough was still indispensable. George Churchill, the Duke's brother, was the intermediary on this occasion. He was directed to inform Prince George that the Queen must choose between Marlborough and Godolphin on the one hand and Mr. Harley on the other. There was, unfortunately for the Queen, no choice possible ;<sup>3</sup> and 'the next morning . . . Mr. Harley was turned out.'<sup>4</sup> The elections had resulted in the return of a large Whig majority,<sup>5</sup> and on the death of Prince George (October 28, 1708) numerous changes in the Ministry took place. The Prince had held the office of Lord High Admiral, and was succeeded by the Earl of Pembroke, who had previously held the posts of Lord President of the Council and Lord Lieutenant of Ireland. The posts vacated by Lord Pembroke's promotion

<sup>1</sup> 'The Duke of Marlborough and Lord Treasurer, finding his greatness with the Queen, . . . got him removed, not without great pains.' *Caractères de plusieurs ministres de la Cour d'Angleterre*, by Lord Raby. Quoted *Wentworth Papers*, ed. 1883, p. 32. Compare Paul Chamberlen's *Queen Anne*, ed. 1738, p. 280, line 10.

<sup>2</sup> 'Lord Treasurer would sooner have lost his staff than he [Harley] his employment.' *Ib.*

<sup>3</sup> Cooke (*History of Party*, London, 3 vols. 1836-7) says that Harley only resigned after an ineffectual attempt to grasp Lord Treasurer's staff. It is possible, but not very likely. It was not in Harley's cautious nature to attempt the impossible. Coxe asserts that the delay occurring after Marlborough's resignation was due to the anxiety of the Queen to retain Harley in office (Coxe, ed. 1893, vol. ii. p. 191). Marlborough's words were : 'I beseech your Majesty to look upon me, from this moment, as forced out of your service, as long as you think fit to continue him in it.' In the *Lockhart Papers*, ed. 1817, p. 295, Harley's conduct is described thus : 'Mr. Harley aim'd at more than was design'd for him, and endeavour'd to supplant those that brought him in.'

<sup>4</sup> Swift, *Memoir*, *ut supra*, 220, i.

<sup>5</sup> Lecky, *Hist.* vol. i. p. 42.

were filled up as follows : Lord Somers was made Lord President of the Council, and the Lord Lieutenancy of Ireland was conferred on another Whig noble, Lord Wharton. Pembroke was soon driven to resign the Admiralty, and his place was taken by another member of the Junto, Russell, Lord Oxford. St. John had followed Harley when the latter resigned ; and his place as Secretary of War was taken by Walpole, promoted from the Admiralty. Sir Simon Harcourt, the Tory Attorney-General, also resigned, and the office was left vacant. We have to remember that Sunderland had been introduced into the Cabinet in the preceding year.<sup>1</sup>

This, then, was the situation of 1708. Nothing could alienate the Queen from Tory and High Church principles ; but the heads of the Tory party had made themselves detestable to her. Godolphin she had never liked ;<sup>2</sup> Marlborough had annoyed her by driving Mr. Harley from office, and he alarmed her by applying for the post of Captain-General<sup>3</sup> for life. She had long wearied of the tyranny of the Duchess of Marlborough,<sup>4</sup> and the Duchess's behaviour at the death of Prince George had deeply angered and offended her. The men who actually surrounded her, though not (with the exception of Sunderland) personally disagreeable, represented principles which she abhorred : she was completely alienated from them all. If we consider the gains and losses of the Whig party we conclude that owing to the folly and violence of the Tories the Whigs had in six years come

<sup>1</sup> Referring to these changes Rapin says : ' Ever since that time the moderate Tories and the moderate Whigs have been but one and the same party.' Hardly : Marlborough and Godolphin became the Tory agents—hard-worked agents, too—of the Whigs, but were never admitted to belong to the party. Rapin, *Whig and Tory*, p. 41.

<sup>2</sup> But Lord Dartmouth traverses with some anger the story of the Queen's ill-treatment of him. See Burnet, ed. 1823, vol. vi. p. 19, note *d*.

<sup>3</sup> This step had far-reaching effects. It appears to have been made without even consulting the Queen (Dartmouth on Burnet, ed. 1823, vol. v. p. 404, note *A*), and showed how wide was the permanent breach between the Duke and the Whigs ; for Somers, the head of the Junto, having ' no mind to be his Grace's subject,' took the lead in baffling Marlborough.

<sup>4</sup> Swift, *Memoir*, *ut supra*, 219, ii.

to completely dominate the Government. But, on the other hand, they had made the Church party throughout the country into a solid opposition ; they had so little commended themselves to the Queen that she was continually working against them ; they had a powerful enemy in Harley, and, worst of all, they were driven to prosecute the war as their only party asset. The country was weary of the war. The Dutch could not drink too deeply of revenge on Louis for the behaviour of Louvois in 1678, when he had threatened their ambassador with the Bastille. The Emperor had obvious reasons for desiring the continuance of hostilities ; but there was no particular reason why England should not make peace. Thus, the war being continued for purely party reasons, the Whigs were forced by these circumstances to provide the Tories with another party asset, and the best that they could desire—a cry for peace. Peace and Church principles became the watchword of the Tories.

The Tory triumph could not be long delayed.<sup>1</sup> The unnatural position of a Tory Lord Treasurer alone in a Cabinet of Whigs<sup>2</sup> began to tell. The Whigs treated him with scant ceremony.<sup>3</sup> On the one hand, the Whigs profited by the genius of Addison,<sup>4</sup> but, on the other hand, they lost by the ungovernable temper<sup>5</sup> of Sunderland.<sup>6</sup> They did

<sup>1</sup> Of Godolphin and Marlborough it may be correct to say, as Mr. Cooke says (*History of Party*, ed. 1836, vol. i. p. 572), that their interest 'lay entirely among the Whigs,' but they remained—Godolphin especially—the mere Tory agents of the Whigs, and were never even spoken of as members of the Whig party (Burnet, ed. 1823, vol. v. p. 389, Hardwicke's note. Compare Macpherson, ed. 1775, vol. ii. p. 403, where he speaks of Marlborough and Godolphin reconciling 'the Whigs to their measures' by wholesale bribery of place and power.

<sup>2</sup> 'Lord Treasurer begins to want friends.' *Wentworth Papers*, p. 77, March 1, 1709. Peter Wentworth to Lord Raby.

<sup>3</sup> *Wentworth Papers*, *ut supra*, p. 72. 'The Tories rejoice that the great Whigs begin already to use the Lord Treasurer as they would wish, to oppose him publicly in the House, particularly Lord Somers.'

<sup>4</sup> 'I believe if he had a mind to be chosen King he would hardly be refused' (Swift, *Journal*, ed. 1876, 237 i.). 'Mr. Addison is really a very great man with the Junto' (Peter Wentworth to Lord Raby, January 28, 1709).

<sup>5</sup> & <sup>6</sup> See next page.

contrive to weaken Godolphin ; but those friends who stood by him did so very effectually, and made the schism in the Cabinet apparent. It was clear that he would not submit to be edged quietly out of office.<sup>1</sup> In the spring came hopes of a peace ;<sup>2</sup> dashed by the conduct of the Duke of Marlborough,<sup>3</sup> and by the end of May the talk was all of war again ; but it was freely said that we ought to march on Paris, and that if Prince Eugene were but Commander-in-Chief we should do so at once.<sup>4</sup> A year previously there had been some talk of reviving the old names of Court and Country, instead of Whig and Tory, as descriptions of the two great parties.<sup>5</sup> Even to contemporaries, as we have seen,<sup>6</sup> party issues were lost in personal rivalries ; so it is not surprising that some such measure was contemplated as a means of rectifying a situation that became daily more and more strained. But it was not apparent who would gain thereby, except the Tories, whose triumph was assured ; so nothing definite was said. Marlborough, who disdained no measure, great or small, which could bring him credit, had at the same time attempted a grand *coup* by proposing that a member of the Electoral House of Hanover should come to reside in England. His Whig allies (or masters) were

<sup>1</sup> Marlborough attempted, but without success, to make Sunderland behave more respectfully to the Queen. Coxe, ed. 1893, vol. ii. p. 288. Sunderland's insolence was born with him, and was devoid of distinction. See his very vulgar behaviour to the Duke in the year 1721. *Memoirs of the Duchess of Marlborough*, ed. 1839, vol. ii. p. 320.

<sup>2</sup> Sworn in December 3, 1706. His removal from office was the work of the Queen. He had failed 'in his respect to her Majesty's person' (Swift, *Memoir*, *ut supra*, p. 221).

<sup>3</sup> *Wentworth Papers*, 78.

<sup>4</sup> Compare the letter of the Abbé de Polignac from Gertruydenburgh dated July 20, 1710. Torcy to Tallard, May 23, 1709 : 'We are not far from an agreement on essential matters.' *Wentworth Papers*, May 24, 1709. Peter Wentworth to Lord Raby : 'I heard Lord Treasurer say to Molesworth, "All is done, the French have agree'd to all we have ask't."'

<sup>5</sup> *Wentworth Papers*, 83.

<sup>6</sup> *Ib.* 90.

<sup>7</sup> *Welbeck Papers*, ed. 1897, p. 490. E. Lewis to Robert Harley, May 22, 1705 : 'The notion of extinguishing the names of Whig and Tory and assuming the distinctions of Court and Country party . . .'

<sup>8</sup> *Supra*, p. 81, note 4.

'much alarmed,' and 'swear the Duke shall not run away with the credit of so popular a thing.'<sup>1</sup> But though the Electress ascribed Marlborough's idea to the inspiration of the Holy Ghost,<sup>2</sup> the Queen could hardly be expected to be pleased. She probably traced the proposal to a purely mundane origin, and her anger with Marlborough was intensified. The confusion of parties was now at its height. The academic distinction between Whig and Tory drawn by Ranke was less than ever descriptive of the real relation of parties. Nevertheless, it is in the midst of this apparently insolvable tangle that we discover the beginnings of the two parties as they were known to the eighteenth century. Let us, for example, consider the letter of Marlborough to the Queen, dated August 2, 1708, in which the following passage<sup>3</sup> occurs:—'For God's sake, madam, consider that whatever may be said to amuse or delude you, it is utterly impossible for you to have ever more than a part of the Tories; and, though you could have them all, their number is not capable of doing you good. These things are so plain, that I can't doubt but your Majesty will be convinced nothing can be so fatal to your service as to discourage the Whigs at this time.' Now, to encourage the Whigs, as Marlborough urged the Queen to do, was the one course of action to which the Sovereign could not make up her mind. She would even go out of her way,<sup>4</sup> and put herself to considerable personal inconvenience, in order to avoid those critical personal interviews which the heads of the Whig party were continually forcing upon her with the view of furthering the interests of their party. This united attitude of the Whig chiefs was at once their strength and their weakness. It was their strength inasmuch as, by putting their whole force into one critical interview where the party's interests were urged by the most forcible intellects at their command, they

<sup>1</sup> Lewis to Harley, May 29, 1708. (*Welbeck MSS.* 491.)

<sup>2</sup> *Ib.*

<sup>3</sup> Cox, ed. 1893, vol. ii. p. 283.

<sup>4</sup> Lewis to Harley, Oct. 20, 1708. (*Welbeck MSS.* 506.)

brushed aside counter intrigues and carried many a point that could not have been even raised in the course of more constitutional procedure.<sup>1</sup> It was their weakness in that the habit of delegating authority for party purposes disinclined the party to recruit its ranks from any but trusted sources. The field of recruiting being thus narrowed in the interests of the discipline of the party, it was restricted still further by the natural alliances between members of a few families drawn together in common public interests; until at last the Whig party could quite fairly and reasonably be reproached with being a mere family combination to secure the spoils of the State for themselves, regardless of considerations of principle or of personal capacity or incapacity. This tendency showed itself very early. One great source, if not the principal source, of strength for the Whigs was the support of the Nonconformists. For the Nonconformists Tory ascendancy implied Jacobite ascendancy, which implied persecution for themselves. One of the chiefs of the Tory party was the Scotch Duke of Hamilton, as to whose complicity in the Jacobite attempt on Scotland in the year 1708 there was no doubt. He was very properly arrested and thrown into the Tower.<sup>2</sup> This arrest was a great source of confidence to the Nonconformists. If one so highly placed as the Duke was not to be spared, it was clear that they might go their way in peace, and without fear of

<sup>1</sup> The Queen held firmly to what was left of the Royal prerogative (Coxe, ed. 1893, p. 292), and disliked intensely 'the solicitations . . . made to her, when she was entirely surrounded by the party.' *Welbeck MSS.* 506. 'It is an old scandal, now almost worn out . . . that "the Whigs" are against the prerogative of the Crown.' Cowper's *Impartial History of Parties*, in Campbell's *Lives of the Chancellors*, ed. 1846, vol. iv. p. 428. Not an old scandal, and not worn out in Cowper's day. And precisely because Lord Cowper remains—accidentally or wilfully—blind to the point of issue between Whigs and Tories, he writes: 'I dare not touch upon the particular causes which drew on the disgrace . . . of that Ministry' (the Whig), *ib.* p. 426. There is no reason—except a party reason—why they should not be touched upon.

<sup>2</sup> The Duke's arrest was not a tribute to his rank—he was only one of many. 'Great numbers of all ranks were thrust into prison.' *Lockhart Papers*, ed. 1817, p. 293.

molestation. It was a great shock to the allegiance of the Nonconformists when the Duke was suddenly set at liberty, for no other reason than that he was brother-in-law of Lord Sunderland, a member of the Whig Junto. Here we have the Whig policy in little: it might be dangerous to the party, and perhaps to the country, to set free the Duke of Hamilton; but it was, on the other hand, highly disagreeable to Lord Sunderland that his brother-in-law<sup>1</sup> should be a prisoner in the Tower.<sup>2</sup> Family interests came first; so the party was sensibly weakened, and the crafty Harley, whose temper was essentially the Whig temper of compromise and opportunism, even if his principles were Tory—Harley began to draw to himself the alienated sympathies of the Dissenters. He became 'that spawn of a Presbyterian, Harley.'<sup>3</sup> What Sunderland, with his characteristic selfishness, massive, assertive, and insolent, did without words, the more boisterous Wharton carried on with his contemptuous, outspoken phrase, 'he did not care if the Nonconformists were all damned' so long as his skin was whole.<sup>4</sup> So spoke the Whig leaders of their principal supporters. It ceases to be remarkable that they entirely refused to admit Marlborough to the inner circle of their councils.<sup>5</sup>

This, then, was the situation of the years 1708–10; a Tory duke scorning the Tories, and courting the Whigs, who in turn spurned him; a Whig Junto deriding and neglecting their supporters, who in return draw away towards the discredited Tory, Harley. Harley, while earning the appellation of 'spawn of a Presbyterian,' is yet secretly determined that 'no person shall have the smallest employment,'<sup>6</sup> either

<sup>1</sup> Lord Sunderland's sister, Lady Anne Spencer, had married the Duke of Hamilton.

<sup>2</sup> In the *Lockhart Papers*, ed. 1817, p. 293, the incident is thus narrated: 'The Duke of Hamilton . . . finding that the Whigs were most likely to preserve and relieve himself . . . clapt up a seperat Treaty with them.' Possible—anything is possible at this epoch, but quite unlike the Duke's character.

<sup>3</sup> *Supra*, p. 82, note 6.

<sup>4</sup> *Welbeck MSS.* 534.

<sup>5</sup> *Supra*, p. 85, note 3.

<sup>6</sup> Swift, *Memoir*, *ut supra*, p. 224.

civil or military, whose principles are not firm for Church and monarchy.'

In this confusion of affairs we have seen how the Whigs bore themselves.<sup>1</sup> Their party cry 'civil and religious liberty' was, it is to be feared, hardly more than a party cry; bold, resolute, astute, and unscrupulous, the Whig leaders treated their supporters and opponents with equal insolence, and yet, in spite of all, they rendered distinguished services to the State.<sup>2</sup> With the Whigs it may be said, with some approach to truth, that power was their object, and that their principles were a blind. With the Tories principle appears to have come first, for which one owes them some respect in spite of their violent polemics and blundering party tactics. The trial of Sacheverell was now drawing near; an event which was to precipitate the elements, so to speak, on both sides, and to leave the party of civil and religious liberty at war with the party which cried for Queen and Church. It was to be then demonstrated that the Whigs had reckoned without the devotion of the English people to the English Church. The Tories were to return triumphantly to office, when it was to be demonstrated that they, in their turn, made the same mistake. In choosing between two foreign princes they selected for the Queen's successor a foreign prince whose religion was notoriously antagonistic to the English Church and irreconcilable to it. The Whigs, on the other hand (warned, perhaps, by the events of 1709), were to choose the King who commended himself chiefly, if not solely, on the ground that he accepted the Church of England in good faith.

But this is to anticipate. In the meantime there were

<sup>1</sup> 'The Whigs rode them' (Marlborough and Godolphin) 'very hard, and they would have been glad to have relieved themselves, if they could have told how.' Dartmouth on Burnet. The alliance of the Junto with Godolphin was only superficial. Onslow on Burnet, Burnet, ed. 1823, vol. v. p. 341, notes *u*, *x*.

<sup>2</sup> By their resolute behaviour in the crisis of 1714 when they secured the Hanoverian Succession. This was a wonderful example of the discipline and power of concentration of the party. I venture to call their action 'a distinguished service to the State' because, to take the lowest ground (and assuming the Pretender to have been a desimble sovereign), James III. could not have been crowned until after a civil war.



alarms and excursions. Marlborough and Godolphin both talked of retiring from public affairs, and Marlborough's menace drew from the Queen the following remarkable letter. His threat to retire in February 1708 produced the resignation of Harley.<sup>1</sup> The threat which we are now considering was made in August 1708, and the Queen's letter was probably despatched towards the end of that month. The letter<sup>2</sup> ends as follows:—'Lord Treasurer has gone to make a visit to 42,<sup>3</sup> where the town says he will meet with four or five gentlemen' who I can never be satisfied mean well to my service, till they behave themselves better than they did in the last parliament, and have done ever since the rising of it; for from that minute they have been disputing my authority, and are certainly designing, when the new one meets, to tear that little prerogative the crown has to pieces. And now because my servants and I set up one they formerly liked to be Speaker<sup>4</sup> they are against him; for no reason, I suppose, but because they will have none in any employment that does not entirely depend upon them. Now, how is it possible, when one knows and sees all these things, as plainly as the sun at noonday, ever to take these people into my bosom? For God's sake, do but make it your own case and consider then what you would do and why a handful of men must awe their fellow subjects. There is nobody more desirous than I to encourage those Whig friends that behave themselves well; but I do not care to have anything to do with

<sup>1</sup> *Supra*, p. 85.

<sup>2</sup> Coxe, ed. 1893, vol. ii. p. 292.

<sup>3</sup> The Bishop of Ely.

<sup>4</sup> The Whig Junto, Somers, Sunderland, Russell, Wharton (let-'em-be-damned Wharton), and Halifax.

<sup>5</sup> Sir Thomas Hanmer. 'A council of the Junto will be held there (Newmarket), and then and not till then shall we know who will be Speaker . . . the vogue runs for Sir Richard Onslow, who was elected, "a worthy man" (Burnet), "a very trifling, vain man of a ridiculous figure, full of party zeal." He went by the name of "Stiff Dick," usually given him by the whole party except Bishop Burnet and a few solemn Nonconformists.' (Dartmouth), Burnet, ed. 1823, vol. v. p. 384, note g. *Welbeck MSS.* 505. So the Queen's candidate was defeated. He was, however, elected in 1713.

those that have shown themselves of so tyrannising a temper ; and not to run on further on those subjects, to be short, I think things are come to, whether I shall submit to the five tyrannising lords, or they to me. This is my poor opinion on the disputes at present, which could not be, if people would weigh and state the case just as it is, without partiality on one side or the other, which I beg, for the friendship you have ever professed for me, you would do ; and let me know your thoughts of what may be the best expedient, to keep me from being thrown into the hands of the five lords.'

The Duke of Marlborough's reply to this letter was, in effect, to urge the Queen to take the very step that was so repugnant to her. Clearly no help was to be had from the Duke, and we come at this moment face to face with the real determining factor in the situation, the resolve of the Queen to rid herself of the 'tyranny of the five lords.' Very bad fortune was at first her lot in this task. As we saw earlier,<sup>1</sup> the death of Prince George<sup>2</sup> greatly strengthened the hands of the Whigs. It occurred in October 1708 and intensified the sense of isolation under which she was labouring when she wrote to the Duke of Marlborough. It seemed as if the Tories were never to receive another appointment. All the appointments set free by the death of the Prince were allotted to Whigs, as we saw earlier.<sup>3</sup> But there remained one post, that of Secretary of State for Scotland. This post had been created by the Act of Union, and the Duke of Queensberry was a candidate for it. His early association with Prince George and his long services to Scotland marked him out as a fit person for the employment. The Whigs were determined to secure it for the Duke of Montrose.<sup>4</sup> 'God damn my wife and children if I will not go into the Junto,' was the

<sup>1</sup> *Supra*, p. 85.

<sup>2</sup> Prince George's sympathies had been pronouncedly Tory (Swift, *Memoir*, *ut supra*, 223, ii. n.).

<sup>3</sup> *Supra*, pp. 85, 86.

<sup>4</sup> *Welbeck MSS.* 516. Sir Thomas Mansell to Robert Harley. Compare Lord Dartmouth's caustic portrait of Queensberry in Burnet, ed. 1823, vol. v. p. 388, note u.

Duke of Queensberry's infuriated exclamation at the idea of his appointment hanging fire. The incident marked the highest point of Tory exasperation and the flood tide of Whig triumph. Godolphin, powerless to resist the Junto,<sup>1</sup> was already preparing to follow Marlborough's example and capitulate. But 'Lord Wharton received the submissive protestations of Lord Treasurer with all possible scorn and contempt. He says he knows very well it was his last stake, and that he could subsist no longer without them.'<sup>2</sup> 'Some think you should be here,' wrote a faithful correspondent to Robert Harley, warning him to return to town for the impending crisis.<sup>3</sup>

There was no need yet for Harley. The Queen showed great courage, and having taken counsel of Harley in secret, was already acting on his advice and waging a steady war for her rights. Deserted by Marlborough, bullied by the Junto, with no Minister of importance to support her except Godolphin, who already bowed before the storm,<sup>4</sup> grossly insulted by the Duchess of Marlborough,<sup>5</sup> the Queen determined to assert herself and her prerogative alone in the face of the world. Mr. Harley was her counsellor. Summoned to the Royal closet by an insignificant-looking note delivered by the hand of an under-gardener, Mr. Harley<sup>6</sup> 'told her of the dangers to her crown, as well as to the Church

<sup>1</sup> 'Lord Treasurer had promised to adopt the Duke of Queensberry, and to surrender himself up entirely to the sage advice of the Junto' (*Welbeck MSS.* 508). 'It was generally believed that the Lord Treasurer would fix measures and capitulate with the Junto' (*ib.* 507).

<sup>2</sup> Lewis to Robert Harley, Oct. 15, 1708. *Welbeck MSS.* 509.

If Mr. Cooke (*History of Party*, ed. 1836, vol. ii. p. 571) is right in saying that Wharton was in possession of compromising letters from Godolphin to St. Germans, Wharton would hardly have used this expression. But see Macpherson, ed. 1775, for details, vol. ii. ch. 7, p. 406, and Hamilton MS. Anecdotes, quoted by Burnet, ed. 1823, vol. v. p. 382, note *p*.

<sup>3</sup> *Welbeck MSS.* 507.

<sup>4</sup> Moreover, his indecision was constitutional (Lecky, ed. 1892, vol. i. p. 70).

<sup>5</sup> The Duchess carried insolence so far as to bid the Queen be silent (Coxe, vol. ii. p. 294, ed. 1893).

<sup>6</sup> Swift, *Memoir relating to the Change in the Queen's Ministry*, ed. 1876, 221, i.

and monarchy itself, from the counsels and actions of some of her servants ; that she ought gradually to lessen the exorbitant power of the Duke and Duchess of Marlborough and the Earl of Godolphin by taking the disposition of employments into her own hands.' Whether in pursuance of this advice, repeated whenever Harley could creep up the backstairs past the Duchess of Marlborough's spies,<sup>1</sup> or whether of the Queen's own notion, the appointment of the Duke of Queensberry had been an important step in this direction.<sup>2</sup> It not only asserted the Queen's prerogative, but infuriated the Whigs and cost them the vote of the Duke of Montrose, who believed that the Junto had trifled with them. The Duke of Montrose was the leader of the 'Squadron' <sup>3</sup> (Montrose, Rothes, Roxburghe, Haddington, &c.) who pushed the interests of the Whigs in Scotland.

Mr. Harley's behaviour at this crisis is thus described by an unfriendly critic <sup>4</sup> :—' Mr. Harley in the meantime was not idle ; for as one of his chief talents lay in plodding (*sic*) and carrying on intrigues to undermine others, he found a way to enter into a correspondence with the Queen,<sup>5</sup> who, though forc'd against her will to lay him asyde from being Secretary of State, still retain'd a kindness for and a favourable opinion of him. This correspondence was convey'd by messages through the hands of Mrs. Masham, one of her Majesty's dressers, and formerly introduced to Court by the Dutches (*sic*) of Marlburrow ; by her he represented that her Majesty's Ministers hemm'd her up from conversing with any but such as were tools or creatures of their own, so that in some respect she was a kind of State prisoner ; that they did not

<sup>1</sup> Cooke (*History of Party*, ed. 1836, vol. ii. p. 567) gives a most contemptible picture of Harley's conduct. If his view of Harley's character were accepted we could only conclude that, if Harley's mind was debased, the Queen's mind was yet more debased. But she seems to have borne herself with a very stately and simple courage, a courage inconsistent with Mr. Cooke's view of her relations to Harley.

<sup>2</sup> *Wentworth Papers*, p. 72.

<sup>3</sup> *Lockhart Papers*, ed. 1817, p. 294.

<sup>4</sup> *Ib.* pp. 309, 310.

<sup>5</sup> Swift says that the Queen approached him (p. 27, n. 6).

treat her with the respect and deference which was due to her, seeing that they did not desyre to know and follow her pleasure and commands in matters of state, but dictated, as if it belong'd to them to prescrive (*sic*) and incumbent on her to comply ; that they had admitted into the Government a sett of men (meaning the Whigs) who were enemys to herselfe, her family and all crown'd heads, and that these people's maxims and designs would be prosecuted and terminat in her ruin and the subversion of the crown and mitre. The Queen, being sensible that all or most of what he represented was too true, began to grow weary of the subjection she was then under.'

So much is here quoted from a writer with a strong Jacobite bias ; side by side with the strong expressions of Cooke, the writer with a strong Whig bias, it goes to show how profoundly and universally Harley was mistrusted,<sup>1</sup> and perhaps it should be said misjudged. He went by the backstairs because if he was merely seen in the neighbourhood of Kensington his enemies made a scene with the Queen. The actual advice that he gave to the Queen as set forth by his enemies<sup>2</sup> was less strong in its language than what the Queen had herself written to Marlborough before she turned to Harley. The Queen might well have been pardoned if she had resigned herself to her fate. Prematurely aged, widowed, infirm, and bereft of her children, Queen Anne at the close of the year 1708 presented an appearance that should have appealed to the chivalry of the champions of civil and religious liberty. But the hard insolence of the Whig chieftains knew no such weakness, and the Queen must needs rouse herself to face alone the nobles<sup>3</sup>

<sup>1</sup> Somers refused altogether to act with him. See his life in *Lives of Eminent Persons*, 1833, p. 21, col. 2.

<sup>2</sup> Swift, *Memoirs*, 220, ii.

<sup>3</sup> The view taken in these pages of the character of Queen Anne is derived from sources always open, but, it is submitted, imperfectly explored. No woman who was no more of a personage than Thorold Rogers makes out Queen Anne to have been ('fat, gouty, lethargic,' and nothing more) could have written the Queen's letters, or borne herself in great public and private affliction like Queen Anne.

who had forgotten their duty as subjects and their manners as gentlemen.

It was a severe struggle. The Duchess of Marlborough cut off the Queen's pocket-money.<sup>1</sup> In the matter of small appointments the Queen now carried her point,<sup>2</sup> and now was forced to yield.<sup>3</sup> The Whigs no longer kept up even the pretence of politeness, and the issue was fairly joined between the Sovereign and the Junto for months before the trial of Sacheverell.<sup>4</sup>

The name of Sacheverell brings us very near to the crisis of 1710. Before entering on an examination of the final scenes in this protracted drama, it may be well to revise what has been narrated so far, and endeavour to decide, if possible, on the thread of the plot. It is submitted that the politics of this period will be found to centre in the Queen, whether the Sovereign was acquiescent, as in the years 1702-1708, and again 1710-1714, or resolutely assertive, as in the years 1708-1710. Her action was her own, but the advice was sometimes that of Robert Harley.<sup>5</sup> It is difficult, after careful examination of all available sources of information, to accept as final the mean estimate of Harley's character which has usually passed current. The son of a colonial governor who<sup>6</sup> injured his prospects by showing high principle at a time of crisis,<sup>7</sup> Robert Harley was not

<sup>1</sup> *Lockhart Papers*, ed. 1817, p. 316.

<sup>2</sup> Case of the Lieutenant of the Tower, Swift, *Memoir*, ed. 1876, p. 221, i. and ii. It is not easy to concur in Coxe's view that this was a 'stratagem unworthy of the royal dignity' (Coxe, vol. iii. p. 6, ed. 1893).

<sup>3</sup> Case of Richard Temple's Regiment (*Lockhart Papers*, ed. 1827, p. 316).

<sup>4</sup> *Ib.*

<sup>5</sup> 'The most mysterious man of the time' (Thorold Rogers, *Life of Halifax* ed. 1869, p. 41). Not at all 'mysterious' unless we try to make his conduct account for too much.

<sup>6</sup> See *P.R.O.*, *C.C.* 'Dunkirk,' and *The Lost Possessions of England*, pp. 32, 33, and 35.

<sup>7</sup> Very differently did his contemporary rivals speak of him: 'If man was ever born under a necessity of being a knave he [Harley] was.' No less a man than Cowper wrote this. See *Diary*, p. 33, under date Sunday, January 6, 1706, after dining with Harley. Very bitter. 'Mr. Harley is generally allowed as cunning a man as any in England' (*Wentworth Papers*, ed. 1883, p. 132).

unworthy of his father: he entered public life, and became Speaker in the Parliament of 1701, as a man known to possess, among other qualifications, the support and friendship of the Earl of Marlborough.<sup>1</sup> His admission to the Ministry of 1704 was highly agreeable to Marlborough.<sup>2</sup> After his fall, in 1708, Harley became for Marlborough one 'of those who have neither honesty nor capacity to serve you, and who visibly ruined your service last winter in several undeniable instances.'<sup>3</sup> In writing the letter of resignation which produced Harley's dismissal, Marlborough used language in respect of the Secretary which would have been 'violent in the case of any statesman addressing his Sovereign, but which is altogether unusual for the Duke of Marlborough: 'false and treacherous' may be quoted for an example.

It was Harley's introduction into the Ministry of 1704 that brought him into close relations with the Sovereign; relations which coloured the politics of the next ten years. It was his dismissal in 1708 that gave to those politics their violent character, inasmuch as it forced into an unjust retirement the ablest men of the party with which the Queen was in sympathy, and thrust upon her men, not less able assuredly, but whose principles she detested, and who abused their position. We have seen what brought about Harley's introduction into the Ministry—the merits of his public career and the favour of Marlborough. It may be well to examine somewhat more closely the events which brought about his dismissal.

On the one side we read that he was removed from office by the intrigues 'of the Duke of Marlborough.'<sup>4</sup> On the other side we read of Harley's 'machinations'<sup>5</sup> with the Queen, and with Marlborough's enemies. 'Intrigues' is an

<sup>1</sup> Coxe, ed. 1893, vol. i. p. 59.

<sup>2</sup> P.R.O. Military Expeditions (Marlborough to Harley).

<sup>3</sup> Marlborough to the Queen (quoted Coxe, ed. 1893, vol. ii. p. 293).

<sup>4</sup> *Ib.* p. 191.

<sup>5</sup> Swift, *Memoir*, ed. 1876, 220, ii.

<sup>6</sup> Coxe, ed. 1893, vol. ii. p. 190.

unsuitable word to apply to Marlborough's conduct—not because he was incapable of intrigue, but because it was unnecessary for him to employ intrigue for the purpose of getting rid of Harley. He was too highly placed, and too powerful in comparison with Harley: he had but to request the Queen to choose between him and the Secretary, and his end was gained. 'Machinations' is a fair word to apply to Harley up to a certain point. He had not the massive assurance of the Sunderlands and the Whartons, but<sup>1</sup> he had great facility in employing civil phrases without pledging himself, and he, no doubt made use of this facility, and of a highly ingratiating manner, in order to improve and strengthen his position at Court and in public life. Naturally, and rightly, and what Marlborough himself must have anticipated when he applauded Harley's promotion, unless he supposed that the giants of the Junto could be fought by a mere dummy.

The determining cause of Harley's downfall was Marlborough's jealousy; the reason put forward was Harley's treason.<sup>2</sup> Was Harley a traitor? If so he deserved to be beheaded on Tower Hill, and not to be merely driven from office. The ground was well chosen, for it was ground where Marlborough was very strong—secret service—and where Harley was careless—culpably careless, perhaps.<sup>3</sup> Marlborough's panegyrist has hardly pretended that Harley's guilt was established. The circumstances were that Harley's confidential clerk, Greg, was detected communicating

<sup>1</sup> The relations of Harley and Mrs. Masham, and, later on, of Mrs. Masham and Bolingbroke are much dwelt on by all writers of this epoch. Lord Campbell's phrase, 'Mrs. Masham who had made him [Lord Oxford] Prime Minister' (*Lives of the Chancellors*, vol. iv. p. 477), seems to me to state the popular view in its most ridiculous and exaggerated form.

<sup>2</sup> Burnet implies as much: 'that tract of correspondence lately discovered, that was managed under Harley's protection' (ed. 1823, vol. v. p. 356). Mr. Speaker Onslow makes this comment: 'These words imply more than the bishop had any authority to say. Harley was inexcusably negligent. That was his crime.'

<sup>3</sup> 'The circumstances of the transaction, as well as his (Greg's) dependence on Harley, appear to have given some colour to the accusation . . . of a correspondence with the French Court' (Coxe, ed. 1893, vol. ii. p. 189).



official secrets to France. There was no doubt about Greg's guilt: he confessed it in writing to Harley.<sup>1</sup> In the form of his admissions he exculpated Harley;<sup>2</sup> and the 'memorandum on French prisoners' letters,' drawn up probably for Sir Simon Harcourt's use, describes the procedure by which Greg got hold of the correspondence from France. He alleged that he found them entertaining reading.<sup>3</sup> Inside these he was wont to slip his own communications.<sup>4</sup> It was to Harley that Greg wrote praying that his irons might be knocked off while he lived, and he died protesting with his last breath that Harley was innocent.<sup>5</sup> These were his words: 'Mr. Harley is perfectly innocent as to any knowledge of the correspondence I was engaged in: neither he nor anybody had any hand in it, and I call God to witness that I die with a conscience clear from having concealed anything I knew relating to the Queen and Government.'<sup>6</sup> The last sentence clearly refers to the attempts made by the Lords (of the Committee of Examination) to entrap Greg into admissions damaging to the Secretary.<sup>7</sup> By answering the questions in the sense obviously desired of him he might have saved his life.<sup>8</sup> Sunderland, as might have been expected, was foremost in arrogant denunciation of the Secretary.<sup>9</sup>

The considerations with which this essay opened were set forth at some length in order that it might be clearly realised

<sup>1</sup> '... my guilt, which is alas! but too great already' (William Greg to Harley, January 8, 1708. *Welbeck Papers*, ed. 1897, p. 474).

<sup>2</sup> 'In order to my dying with as clear a conscience as I can, I may be admitted once more . . . to discharge it of all that remains' (*ib.* January 15, 1708). These are certainly not the expressions of a man who has it in his power to drag down in his fall one so highly placed as a Secretary of State.

<sup>3</sup> For full details of Greg's procedure see *Memoirs of Lord Viscount Bolingbroke* (ed. 1752, pp. 126, 127).

<sup>4</sup> *Welbeck MSS.* ed. 1897, p. 475.

<sup>5</sup> *ib.* January 31, 1708 (Greg to Harley).

<sup>6</sup> William Thomas to Edward Harley. April 29, 1708 (*Welbeck Papers*, ed. 1897, p. 487).

<sup>7</sup> Neither threats nor promises were wanting to engage him to make a discovery. *Queen Anne*, ed. 1735, p. 291 (Paul Chamberlen).

<sup>8</sup> *ib.* 484.

<sup>9</sup> *Memoirs of the Duchess of Marlborough* (ed. 1839, vol. ii. p. 132): 'the bitter accusations and unworthy suspicions of Sunderland.'

how easy it was in those days to play the spy. Granted the slightest carelessness in the London office, and information went straight and swiftly through England by safe hands, and through easy and secret channels. Harley was careless undoubtedly, but not more than careless.<sup>1</sup> The full resolution of the Lords of the Committee of Examination may be set forth here with advantage : <sup>2</sup> 'That Greg may be made an example ; that Valière (another spy of Harley's) was more in the enemy's interest than ours ; that it is dangerous to connive at persons going over from the coast to France ; that there have been some neglects in the Secretary's office by suffering papers of great consequence to lie open to the clerks, and to desire her Majesty that these things may be remedied for the future.'

Harley, then, being no traitor, suffered something approaching to the punishment of a traitor. Marlborough affected to believe in his treason ; <sup>3</sup> but nobody else did so,<sup>4</sup> excepting those who profited by his downfall. It became plain that Marlborough would tolerate nobody near the Queen who threatened, even remotely, his own influence ; and that he was unscrupulous in the means he adopted in order to get rid of anyone whom he feared.<sup>5</sup> As Harley was a man of his own choice, with whom he was on most cordial terms, there could be but one conclusion : his own interests came before those of the State. Harley had been badly

<sup>1</sup> 'Harley could not possibly be supposed to know anything of the matter' (Macpherson, ed. 1175, vol. ii. p. 385).

<sup>2</sup> See Luttrell, *Brief Relation*, ed. 1857, vol. vi. p. 280. 'This day the lords agreed upon an addresse to the Queen upon the report from the committee of lords appointed to examine Greg, &c., and in it is, that Greg deserves to die.'

*Welbeck MSS.*, ed. 1897, p. 482 (W. Thomas to Edward Harley). If any censure of Harley had been felt to be due by contemporary observers, it would have been noted here, or by Luttrell (*cf.* Luttrell, vol. vi. p. 177).

<sup>3</sup> 'Who visibly ruined your service last winter in several undeniable instances' (Marlborough to the Queen, quoted, Coxe, vol. ii. p. 293).

<sup>4</sup> The same Deference, or a greater, was paid him by the moderate Men of all Parties, when he was out than when he was in Power' (*Memoir of . . . Bolingbroke*, ed. 1752, p. 132).

<sup>5</sup> 'The ostensible reason of Secretary Harley's being suspected of corresponding with the French was quickly discovered to be no better than a falsehood' (*Memoir of . . . Bolingbroke*, p. 131).

treated: his party silently but steadily waxed strong. The Queen had been unceremoniously treated: the country regarded without disfavour her assertion of herself against her Ministers. Marlborough was no longer a demigod. It was clear that for place and power he could condescend to behave unworthily: he lost favour with the people. We know now, and it was above pointed out, that in spite of everything, the Queen<sup>1</sup> turned once more to Marlborough; and it was only when he repulsed her advances, and flung her into the arms of the Junto, that she determined to assert herself. Before following her action in detail we have to note one more consequence of Harley's dismissal. There seems to be little doubt that the brilliant, fiery St. John looked half with amusement, half with impatience on Harley's conduct of public affairs. His own temper, daring and

<sup>1</sup> The view of the Queen's character set forth in these pages is nowhere to be found in the pages of accepted authority. Accepted authorities content themselves with noting the Queen's dress, or perfumes, or fondness for a good dinner; her insistence on the proper performance of Court functions, or her indulgence in gossip:—trifles. But although, as Lord Chesterfield observes, over-attention to trifles is the mark of a small mind, proper attention to trifles is rather the mark of an orderly mind. There is, indeed, no evidence that Anne paid more than a proper attention to trifles, and we must look elsewhere for indications of her mental capacity. They are to be found in abundance: in the interview from which the great Lord Somers retired routed and dismayed, in the Queen's haughty bearing towards her greatest subject, in her royally patient endurance of the impertinence of Sunderland—in short, in the skilful use to which she put her position as Sovereign. All these incidents, just noted, demand courage, nerve, and much personal force of character. They are facts, undisputed facts, and are totally irreconcilable with the accepted view of the Queen's character. No doubt Anne was indolent—the Stuarts were indolent. But she had a high sense of duty—inherited, perhaps, from the great Earl of Clarendon—and when the call of duty summoned her to save the State (as she believed) she displayed remarkable energy. Paul Chamberlen ascribes the changes of party in England—and for the matter of that he ascribes the South Sea Bubble and the decay of the West Indies entirely to Dr. Sacheverell (see his *History*, ed. 1738, pp. 330, 331). Dr. Hallam, almost as extravagantly, says that 'the House of Bourbon would probably not have reigned beyond the Pyrenees but for Sarah and Abigail at Queen Anne's toilet' (see his *History*, ed. 1854, vol. iii. p. 208). These views are typical, and both of them appear to me to lack perspective. Sacheverell and Mrs. Masham were incidents, important incidents. But it needed a woman of capacity to make the most for herself out of Sacheverell's trial; and as for Mrs. Masham, it is apparent that she was a pleasant companion for Anne's hours of sumptuous indolence, and a useful intermediary for Harley. Outside these limits I should hesitate to assign her much influence,

perhaps adventuresome as it was, led him to force the pace at the close of Harley's administration. He failed disastrously to himself and his party ; but if Harley had loomed so large before his eyes as he had done before his downfall St. John's recklessness would hardly have carried him to such extremes.

It does not take us far to call Harley 'a cunning knave,' or to speak of his 'plots,' 'machinations,' and 'intrigues,' and deride his coming by the backstairs. It is true that he came by the backstairs, but he did not come on a backstairs errand ; he came to help his Queen to save the Constitution :<sup>1</sup> and if his own interest was considered in his actions, who were the Whigs to throw 'self-interest' in Harley's face? It is true that in giving his advice as Privy Councillor in the absence of other Privy Councillors his action was unconstitutional ; but it does not lie in the mouth of the Junto to denounce any man's conduct as unconstitutional. The elastic principles of the British Constitution allow of an indefinite amount of 'play' between the component parts of the machine. This is mere commonplace. Those principles must be interpreted (unless the machine is to break down) as guiding the conduct of gentlemen among gentlemen. Sunderland had the manners and ideas of an Old Bailey lawyer ;<sup>2</sup> Wharton would have been pained if he had been taken for anything but an unscrupulous opportunist.<sup>3</sup> Somers

<sup>1</sup> See Dartmouth's note on Harley in Burnet, ed. 1823, vol. vi. p. 45, note c :—' Mr. Harley understood and loved the Constitution. . . . ' The note goes on to admit Harley's overweening vanity and that total indifference to his friends which earned for him the reputation of 'treacherous.' But it also points out that Harley had a most 'affectionate zeal for the service of his country.'

<sup>2</sup> Dartmouth, who succeeded Sunderland (June 15, 1710) as Secretary of State, says that Sunderland used to divert himself by deriding Royalty in the presence of the Queen. One can hardly imagine a more vulgar performance (Burnet, ed. 1823, vol. vi. p. 7, note a).

<sup>3</sup> See Burnet, ed. 1823, vol. vi. 'An atheist grafted on a Presbyterian' (p. 229, note a), 'inclined to republicanism' (S. A. Onslow, p. 117, note p), 'intrinsically void of moral or religious principles, the mischievous Wharton' (Macpherson).

'A Whig from faction more than from any principle' (Macpherson, ed. 1775, vol. ii. p. 404).

was, no doubt, a man of exalted genius. But not even Somers, and Orford,<sup>1</sup> and Halifax (still less this triumvirate weighted with Sunderland and Wharton) represented the collected wisdom of England; and their conduct, although strictly within the letter of the Constitution, was a daily violation of its spirit.

If we turn to the Queen<sup>2</sup> we find much emphasis laid upon her fondness for gossip—a weakness which she shared with every son and daughter of Eve—and which is almost valueless as a guide to her behaviour in a great crisis. We find that she is jeered at for the strength of her attachments and the extravagance of her affection—qualities which in other women are usually enumerated to their credit.<sup>3</sup> She is credited with no great qualities. Even Marlborough misunderstood her. With his profound knowledge of human nature and his long experience of Courts he should have prepared for some serious consequences of his conduct in throwing the Queen to the Junto after her touching appeal to him to save her from their tyranny. But he did not do so. He attempted to bear down the Queen's will by the force of his own. He was not even warned by the Queen's manner in the famous interview ending with her dismissal of the Duke in the menace, 'You will do well to advise with your friends.'<sup>4</sup> He could think of nothing more sensible than to send Somers, the head of the Junto, to bring the Queen to reason. Somers found the Queen 'very reserved.'<sup>5</sup> Naturally in the presence of her enemies. The Queen had been dazzled by the glory of Marl-

<sup>1</sup> Of Orford we may say, as Charles the First said of Wentworth before he knew him, 'Mr. Russell is an honest gentleman'—that and no more. Orford had no scintilla of genius. Somers was the greatest man of the Junto, Wharton the noisiest, Sunderland the most insolent, Halifax the most brilliant, and Orford the most respectable.

<sup>2</sup> See Macpherson, *History*, vol. ii. p. 656, for a notice—it is but one of a hundred in the same vein—of Queen Anne, from which I entirely dissent (compare *infra*, pp. 118–121).

<sup>3</sup> 'This Princess is timid to an excess, and lets herself be ruled . . .' (Kemble *State Papers*, ed. 1857, p. 491). But what shall we say of the judgment of one (Schulenburg) who also says, 'The Grand Treasurer Harley is an intrepid man' The intrepid Harley!

<sup>4</sup> Cox, ed. 1893, vol. iii. p. 8.

<sup>5</sup> *Ib.* ed. 1893, p. 10.

borough, and was deeply attached to his wife. The death of her husband and all her children left her very sad and lonely. She was by nature indisposed to assert herself. It was not until the overbearing behaviour of the Whigs had aroused at once her queenly pride, her indignation at such treatment of a lady, her deep attachment to the Church,<sup>1</sup> and her equally profound sense of public duty, that the Whigs discovered their mistake in slighting a Sovereign with such reserves of force of character.

The steps by which the Queen proceeded to assert herself were, in addition to those already mentioned,<sup>2</sup> the appointment of Bishops without consulting her Ministers, the dismissal of the Duke of Kent and appointment, on her own authority, of the Duke of Shrewsbury to succeed him as Lord Chamberlain, and finally, immediately before calling upon Lord Treasurer to break his staff, the dismissal of Sunderland. The action of the Duke of Marlborough in demanding the appointment of Captain-General for life, the breakdown of the negotiations for peace at Gertruydenberg, and the trial of Sacheverell created a public opinion entirely in her favour.

The scope of this paper would become far too extended if any attempt were made here to narrate in detail the negotiations for peace which took place at Gertruydenberg in the year 1710. The negotiations followed on a series of victories for the Allies. The unworthy insistence, on the part of the Allies, on terms which they knew could not be accepted by Louis was alone responsible for a transaction which it seems moderate to describe as Mr. Lecky has described it.<sup>3</sup> It is superficially true to ascribe it, as the Whig historian has<sup>4</sup>

<sup>1</sup> The Duchess of Marlborough had no patience with the Queen's piety. She called her Sovereign 'a praying godly idiot' (Burnet, ed. 1823, vol. v. p. 440, note k).

<sup>2</sup> *Supra*, p. 98.

<sup>3</sup> 'There are few instances in modern history of a more scandalous abuse of the rights of conquest' (Lecky, ed. 1892, vol. i. p. 58, *Hist. of the Eighteenth Century*).

<sup>4</sup> 'Marlborough . . . was the author of this injudicious step' (Cooke, *Hist. of Party*, ed. 1836, vol. i. p. 574). But he was ardently championed in print by the author of *The Negotiations for a Treaty of Peace in 1709 Considered* (London, 1711, *B. M. Cat.* T (2031), 27). This was Bishop Hare,

done, to the greed of Marlborough. But in truth Marlborough had long ceased to be anything more than the agent of the Whig party, the puppet of the Junto, and the Junto were driven to prosecute the war by the simple fact that they had no other foreign policy by which they could be distinguished abroad from the Tories, just as in England for the same reason they were driven to prosecute Dr. Sacheverell.

On the merits of this once notorious clergyman and his work there has been little division of opinion. The Tory summary of the fall of the Whigs<sup>1</sup> runs as follows:—‘And thus fell a sett of men who were sufficiently able to support themselves had they us’d their Mistris with any tolerable degree of common civility, and not pusht their revenge against a poor despicable clergyman who was scarce worth their minding.’ The language of the famous sermon is described by the same authority as ‘railing Billingsgate,’<sup>2</sup> and in so far as Godolphin’s initiative was the driving force of the trial Swift calls it ‘foolish, passionate pique.’<sup>3</sup> The Whig authority describes Sacheverell as ‘a mere bigoted coxcomb, handsome in his person, vain and forward in his address, insantly violent in his Toryism, and furious in his harangues.’<sup>4</sup> ‘An insolent and hot-headed man without learning, literary ability, or real piety,’<sup>5</sup> whose trial cost the nation 60,000*l.*,<sup>6</sup> and whose punishment was a great disappointment<sup>7</sup> to those who had instituted the trial: such was Sacheverell. But a much worse man than Sacheverell would have been accepted by the people of England as a hero and a saint in the temper of 1710. The Church of Dr. Sacheverell was not the Church of Dr. Frewen,<sup>8</sup>

<sup>1</sup> *Lockhart Papers*, ed. 1817, vol. i. p. 318.

<sup>2</sup> *Ibid.* ed. 1817, p. 311.

<sup>3</sup> *Memoir, ut supra*, p. 220, col. 2.

<sup>4</sup> Cooke, *History of Party*, ed. 1836, vol. i. p. 575.

<sup>5</sup> Lecky, *Hist. of England in the Eighteenth Century*, ed. 1892, vol. i. p. 63.

<sup>6</sup> *Welbeck MSS.*, ed. 1897, p. 539 (Abigail Harley to Edward Harley, March 25, 1710).

<sup>7</sup> *Wentworth Papers*, ed. 1883, p. 114 (Peter Wentworth to Lord Raby). See also Lecky, i. 70.

<sup>8</sup> ‘To Westminster Abbey, where we saw Dr. Frewen translated . . . But Lord! . . . how people did look again at them [the Bishops] as strange creatures, and few with any *kind of love and respect!*’ (Pepys, October 4, 1660.)

nor was the England of 1710 the England of 1660. The 'strange creatures,' the Bishops of the Restoration, regarded without love or respect by a populace half atheist, half independent, were replaced by prelates who commanded the devotion, almost the adoration, of a united people. Sacheverell's own doings and fortunes are to this day chronicled in one hundred and sixty volumes in the Library of the British Museum. His mental pose and showy qualities, offensive as they were to persons of taste and sober judgment, commended him highly to the crowd, and he quickly perceived and made use of his advantage.

Here, then, was the popular temper (which Anne most carefully watched) fully developed along the lines which were most favourable to her policy of asserting herself and shaking off the Junto. Long passively dissatisfied with the Ministry on account of their conduct of the war, the people were now actively eager to see their hero revenged on the Ministry which had presumed to impeach him. The Queen herself shared Sacheverell's popularity, for she had been present at his trial, and had borne to hear<sup>1</sup> her own title to the crown impugned in the vain endeavour to ruin the High Church doctor.

The Church was that province of the State in which the Queen had ever taken the strongest personal interest. Already in the year 1707 she had nominated two Bishops of her own motion. These were Sir William Dawes, a baronet, and prebend of Worcester, created Bishop of Chester, and translated seven years later to the Archbishopric of York, and Offspring Blackhall,<sup>2</sup> Rector of St. Mary Aldermary, created Bishop of Exeter. These nominations, which Sunderland, ever graceful, described as the Queen's 'goings on,'<sup>3</sup> had been made in the days before Harley fell. It is, perhaps, un-

<sup>1</sup> *Welbeck MSS.*, ed. 1897, pp. 534, 535.

<sup>2</sup> 'Though now forgotten, he was a man of great renown in his day, and his private life seems to have secured to him respect among all men' (Burton, *Reign of Queen Anne*, ed. 1880, vol. ii. p. 265).

<sup>3</sup> Sunderland to Marlborough, August 5, 1707 (quoted by Coxe, ed. 1893, vol. ii. p. 155).



necessary to say that they roused the wrath of the Junto. In a very dignified and touching letter<sup>1</sup> to Marlborough the Queen defended her action. Her attitude in 1710<sup>2</sup> was equally worthy of the Crown. The independent nomination of the Bishops was but one of several measures, some<sup>3</sup> (as we have seen) successful, some unsuccessful, by which the Queen asserted the prerogative which she was determined not to relinquish. Choosing the moment when the nation was enthusiastically on her side, she now demanded the Lord Chamberlain's staff from the Duke of Kent, and bestowed it on the Duke of Shrewsbury.<sup>4</sup> Kent's dukedom<sup>5</sup> was a part consolation for his dismissal; he was, further, promised the next vacant Garter.<sup>6</sup> These high distinctions are, perhaps, a measure of the Queen's determination to reassert herself at all costs. There might be some doubt about the duty of the Ministry when it was a question of bishoprics or colonelcies;<sup>7</sup> there was none whatever in the case of the Lord Chamberlain. It was the challenge thrown down at last. The Ministry ventured nothing. The initiative had passed entirely into the hands of the Queen; she was now Sovereign in fact as well as in name. It was evident that she would not endure Sunderland for longer than necessary, but beyond Sunderland gossip did not for the moment speculate.<sup>8</sup> The determination to dismiss him had long been in the Queen's mind. She was well aware of the significance of the step, and informed Lord Somers privately that she intended to take it.<sup>9</sup> This interview took place on June 12, 1710.<sup>10</sup> Two days later

<sup>1</sup> Quoted by Coxe, ed. 1893, vol. ii. p. 157.    <sup>2</sup> Lecky, ed. 1892, vol. i. p. 71.

<sup>3</sup> *Supra*, p. 98, notes 2 and 3.

<sup>4</sup> May 22, 1710. See Luttrell, ed. 1857, vol. vi. p. 585.

<sup>5</sup> Luttrell, vi. 571.

<sup>6</sup> He was invested October 25, 1712.

<sup>7</sup> Lecky, i. 72. 'The Ministry should, undoubtedly, have resigned.' And yet the office is only semi-political. Hence the wisdom of selecting this office for the experiment. Whichever way the Ministry decided, the Queen was favourably placed.

<sup>8</sup> *Wentworth Papers*, ed. 1883, p. 117.

<sup>9</sup> Coxe, ed. 1893, vol. iii. p. 88. 'This is a resolution which I have long taken, and nothing shall divert me from it.'

<sup>10</sup> Luttrell, ed. 1857, vol. vi. p. 594.

the Queen sent to Sunderland for the seals and bestowed them on Dartmouth.<sup>1</sup> Some agitation taking place in the City, the Queen consented to receive a deputation, and to assure it publicly, as she had already assured Somers privately, that she intended no further changes.<sup>2</sup> She even went so far as to offer Sunderland £3,000 a year retiring pension, an offer which he declined. The fall of the Ministry was not, apparently, resolved upon. The Queen did not, as has been alleged, falter; the dissolution of the Cabinet was not brought about 'by internal treachery and Court intrigue.'<sup>3</sup> The Queen, wrought up by the conduct of the Ministers to the point of asserting herself, was determined to endure no more impertinence. No doubt the Ministry would have fallen in any case, their behaviour in the case of Sacheverell and over the conduct of the war having deprived them of the confidence of the country. The Queen was the central figure of the period: whatever moved was of her will and was not the result of treachery<sup>4</sup> (for there were no traitors) or of Court intrigue. The general impression was that there would be no more change, and a chaplain,<sup>5</sup> seeking to further his interests by preaching 'a very high and foolish sermon,' was sharply rebuked by the Queen. It may be hazarded, as a conjecture, that the determining cause of the Queen's action in August 1710 was Godolphin's behaviour. One would have supposed that Godolphin would have taken warning by the Queen's action, and would have confined himself to the duties of his office. But he saw fit to lecture the Queen in writing,<sup>6</sup>

<sup>1</sup> Dartmouth's selection was not without significance. His Toryism was pronounced (Lecky, ed. 1893, vol. i. p. 73).

<sup>2</sup> Luttrell. See also *Wentworth Papers*, ed. 1883, p. 121.

<sup>3</sup> Cooke, ed. 1836, vol. i. p. 577.

<sup>4</sup> Mr. Coxe (iii. 19) maintains that the Whig party was torn by 'schism' when the Queen attacked it. The evidence to that effect is not forthcoming; on the contrary the Whigs were united to the last.

<sup>5</sup> *Wentworth Papers*, ed. 1883, pp. 123, 124.

<sup>6</sup> Lecky, ed. 1893, vol. i. p. 73, quoting Boyer. See also the letter itself set forth at full in Paul Chamberlen's *Queen Anne*, ed. 1738, pp. 348, 349. The letter was dated April 15, 1710. The Duke of Kent was dismissed May 22, 1710. Paul Chamberlen says the 'letter made no impression on the Queen.' Not a favourable impression, perhaps.

commenting severely on the dismissal of the Duke of Kent. Her Majesty may well have reflected that there was but little advantage in ridding herself of Sunderland if she was to be harried by Godolphin, and that, since the Whigs were unteachable, she might with advantage to the Crown anticipate the verdict of the country. The available evidence tends to confirm this view. Shrewsbury wrote some civil commonplaces to Wharton on assuming the office of Lord Chamberlain, and, Wharton<sup>1</sup> exclaimed, 'Damn him! he is making fair weather with me, but by God I will have his head!'<sup>2</sup> This is the language of an infuriate gambler, not of a statesman alarmed at a breach of the Constitution. Somers<sup>3</sup> was crushed by the severity of the Queen's manner. The Duke of Beaufort<sup>4</sup> openly congratulated the Queen on the recovery of her authority, and the remonstrances of the Duchess of Marlborough<sup>5</sup> did not, in all probability, tend to weaken the Queen's resolution. Burnet she was always glad to hear, though probably Lord Dartmouth was right in saying that it called for the composure of the 'best-bred person in the kingdom' to allow a Bishop to lecture his Sovereign on the functions of royalty.<sup>6</sup>

It is customary to assign to Harley a more conspicuous position than has been allotted to him in these pages. It does not prove much that an interested person should hail him as the 'author of so great a revolution,'<sup>7</sup> but Mr. Speaker Onslow evidently regarded him as the 'cloud-compeller.'<sup>8</sup> Nevertheless it is apparent that the initiative was the Queen's, and that Harley was rarely the prompter and never the dictator. The trusted adviser he certainly was,<sup>9</sup> but the

<sup>1</sup> Swift, *Memoir*, ed. Nimmo, 1873, p. 221, col. 2.

<sup>2</sup> The Duke of Devonshire delivered up the Steward's staff 'with an uncontrollable burst of passion' (Wyon, ii. 231).

<sup>3</sup> Coxe, ed. 1893, vol. iii. p. 88.

<sup>4</sup> *Memoirs of Sarah Duchess of Marlborough*, ed. 1839, p. 203.

<sup>5</sup> *Ib.* 207, 208.

<sup>6</sup> Burnet, ed. 1823, vol. v. p. 443, note e (o).

<sup>7</sup> *Welbeck Papers*, ed. 1897, p. 570.

<sup>8</sup> Burnet, ed. 1823, vol. vi. p. 11, note g.

<sup>9</sup> 'I asked the Queen how she would have the servants live with him (Marlborough). She said that would depend upon his behaviour to her' (Burnet,

haughty bearing of the Sovereign towards her greatest subject showed clearly that henceforth she intended to take advice only when she called for it.

The rout of the Whigs after August 1710 was complete.<sup>1</sup> In every department of State Tories succeeded to office, both principal and subordinate. It is curious to find Marlborough spoken of as the only member of 'his whole party' who remained in office. What was Marlborough's party? It has become abundantly clear in the course of this short inquiry that he was not looked upon as a Whig either by the Queen or by the Whigs themselves. Yet he shared in all the advantages of the Whig ascendancy, and, be it added, in all the unpopularity which followed on the collapse of their authority. He was also regarded with suspicion on account of his correspondence, real or alleged, with the Pretender. He thus concentrated in himself the hatred which the English people cherished for the Whigs in so far as they were Presbyterians, and the hatred which they cherished for the Tories in so far as they were Jacobites. All the obloquy was his, but when the downfall of Marlborough is under consideration it should not be forgotten how industriously he had sought his own advantage from both sides.<sup>2</sup> Nor should it be forgotten that when his Sovereign called him to her aid he deserted her, preferring the contemptuous favours of the Junto to the difficult path of duty. Nobody would admit that Marlborough was of his party, but the Whigs who had ceaselessly annoyed Godolphin while he was in office did try to claim him as their man when they saw a chance of discrediting Harley.<sup>3</sup>

ed. 1823, vol. vi. p. 30, note (p) (Dartmouth.). Compare Ranke, ed. 1875, vol. v. p. 337. Compare also Ranke, ed. 1875, vol. v. p. 330. 'She had no idea of being made a tool.' Ranke appears to be the only historian of this time who has given anything approaching due consideration to the extent to which the force of the Queen's character influenced the events of 1702-1710.

<sup>1</sup> Macpherson, ed. 1775, vol. ii. p. 464.

<sup>2</sup> 'Scribbling down the illustrious warrior' (Wyon, ed. 1876, vol. ii. p. 261) seems hardly fair. But Mr. Wyon thinks that Anne's intelligence was no higher than a 'kitchen-wench's,' *ib.* p. 531, following Rapin perhaps, *Whigs and Tories*, p. 39.

<sup>3</sup> Macpherson, ed. 1775, vol. ii. p. 473.

The significance of the years 1710-1714 is the disappearance of these ambiguous poses on the part of leading politicians.<sup>1</sup> The lines of cleavage hardened; lukewarmness was no longer possible; in public life the Tory developed into the Jacobite and the Whig into the Dissenter—by sympathies. The Whig attitude might be distasteful in many ways, but at least it implied no tampering with St. Germain's. On the other hand the Tory might be disloyal, but at least he was sound for the Church. The most pressing danger, on the whole, was political, not religious; so the Whigs entered on a long lease of power based on demonstrable loyalty and supported by the Dissenters, while the Tories retired, suspect, into opposition hopelessly stamped as Jacobites<sup>2</sup> and therefore potential rebels.<sup>3</sup> The man who effected this deplorable change in the fortunes of a great party was Henry St. John. His impatience with Harley breaks out in expression like the Hanover Tories,<sup>4</sup> the 'no part' acted by Harley when Lord Treasurer. St. John, writing of the years 1710-1714, could still distinguish between 'Tories' and 'Jacobites,'<sup>5</sup> but the public were soon unable to follow the distinction, and his attempt to clear himself of all complicity in the Pretender's schemes has not been, even after the lapse of several generations, entirely

<sup>1</sup> Note that when the furious controversy relating to the trial of Sacheverell was proceeding, no man dreamed (even as a weapon of controversy) of using the charge of Jacobitism against the Tories. Burton (J. H.), ed. 1880, vol. ii. p. 285.

<sup>2</sup> In France men looked on the distinction between Whigs and Tories as primarily religious, and sound Catholics 'were pleased with the Tories for labouring to set a Popish king upon the throne of England' (see Rapin, *Dissertation sur les Whigs et les Tories* (London, Curll, 1717, Preface, p. v).

<sup>3</sup> Compare *Danger of the Protestant Succession in the last years of Queen Anne*, at the end of Somerville, ed. 1798; although how he manages to make out that Harley was a Whig (p. 587, note 27), unless on account of his Nonconformist sympathies, is not easy to see. It may be noted, however, that in Scotland Toryism = Episcopacy = Jacobitism. Defoe to Harley, Edinburgh, 1710, 25 Dec. It may be noted also that Harley boasted that but for him the Pretender would have been restored (*Wentworth Papers*, p. 395).

<sup>4</sup> Letter to Sir W. Windham, ed. 1754, in *Works*, vol. i. p. 20. 'The whimsical or Hanover Tories,' p. 18.

<sup>5</sup> *Ib.* 22. Cunningham, writing in 1775, did not do so, but used 'Jacobite' as the natural antithesis of 'Whig,' vol. ii. p. 615.

successful. He rapidly fell away from Harley,<sup>1</sup> ousted him from the Government, and was virtually chief Minister from July 27 to August 1, 1714. On the latter date the death of the Queen left the power in the hands of seven regents and eighteen nobles.<sup>2</sup> The latter body, being nominated by the Elector of Hanover, was gracefully composed of men all of whom were known to have been agreeable to the Queen personally: one of them (Shrewsbury) was in both lists. The regents were statutory functionaries, and were of course all Tories. The nominees of the Elector included two members of the Junto—Oxford and Halifax—and the late Chancellor—Cowper. It is surely not a matter of surprise<sup>3</sup> that Marlborough,<sup>4</sup> who had deserted his sovereign lady hardly less barefacedly than he had previously deserted his sovereign lord, was not in the list. Sunderland and Wharton were in the highest degree offensive to the late Queen, as we have seen; and in a list of serious men in so serious a national crisis there was hardly room for Somers, who was fast breaking up, and could not have been more than a figurehead, if a highly distinguished one. There remains the question why Harley and St. John were both excluded. The obvious explanation, that accepted at the time, and generally since,<sup>5</sup> is that both were Jacobites. This view is not

<sup>1</sup> 'A son ancien dévouement pour le comte d'Oxford avait succédé la défiance, puis le mépris, puis l'aversion.' (Rémusat, *L'Angleterre au Dix-huitième Siècle*, ed. 1856, vol. i. p. 258).

<sup>2</sup> See the lists in Oldmixon, ed. 1735, p. 563.

<sup>3</sup> Wyon, *History of Great Britain during the Reign of Queen Anne*, vol. ii. p. 529, notes the omission of Marlborough and others 'gave rise to much speculation,' and 'has never been conclusively explained.' The reasons are obvious from the narrative of these pages.

<sup>4</sup> Compare the French estimate of Marlborough, Rémusat, *ut supra*, ii. 211; very penetrating. Compare Lord Cowper's *Diary*, ed. 1833 (Eton, E. Williams), p. 54, *B. M. C. Ac.* 8104, 43), November 1712. Evidently the Queen's affectionate deference had turned to chill disapproval—naturally.

<sup>5</sup> Especially by the editor and contributors to the *Dictionary of National Biography*. But 'sincerely devoted to the Protestant succession,' says Coxe, ed. 1893, vol. iii. p. 344. 'The Elector has a very high idea . . . of your devotion the Protestant succession.' Mr. Cressett to Robert Harley, *Wellbeck Papers*, p. 643.

- universally accepted ;<sup>1</sup> but whether St. John was really a Jacobite<sup>2</sup> or whether the Whigs intrigued to burden him with the reputation is not a matter for inquiry in these pages. Nor need we waste time in considering abuse like Oldmixon's<sup>3</sup> or Bolingbroke's own censure of his colleagues and defence of himself.<sup>4</sup> The question is merely alluded to here for this reason : the struggle of Whig with Tory is intelligible ; but the struggle of Tory with Tory is not easily intelligible unless we
- accept the current view that St. John was forcing the pace in order to preserve the Stuart succession in the teeth of Harley, or (assuming Harley to have been also Jacobite) in impatience with Harley's lukewarm support.<sup>5</sup> He was still young—very young for a statesman, being not yet thirty-six. He had already thirteen years' parliamentary experience, and had held high office for four years. If he had cordially sympathised with the 'Hanover Tories,' or even had remained totally indifferent to the Sovereign, so long as St. John was Secretary, a long and busy and brilliant career lay before him. What he actually achieved, intentionally or not, was to associate the idea of Tory inseparably with the idea of a High Churchman,<sup>6</sup> but also to brand it with the stigma of Jacobitism ; a stigma which remained for forty-five years.

There remains one question : How came the Ministry of 1710–1714 to leave so poor a record ? In the first place they had a very difficult part to play. They had to conclude as

<sup>1</sup> See Mr. Wyon's defence of St. John in his *History*, vol. ii. pp. 525 . . . He says that persecution drove Bolingbroke into the Pretender's service.

<sup>2</sup> Stanhope, ed. 1839, vol. i. p. 129, assumes that, as a matter of course, Bolingbroke was a Jacobite.

<sup>3</sup> Pp. 556, 557, and his history of this period in every page.

<sup>4</sup> Letter to Sir William Windham.

<sup>5</sup> Also (after Harley obtained an earldom and the Garter, while Bolingbroke had to content himself with a viscountcy without the Blue Ribbon) in no small rage and disappointment that Harley should be so much more amply rewarded than he was, 1712. The Duke of Berwick (*Memoirs*, ed. 1729, vol. ii. p. 192) states without any reserve that Bolingbroke was definitely, and Harley hesitatingly, in the Pretender's interest, and that Harley was got rid of in order to enable Bolingbroke to force the pace.

<sup>6</sup> Whereas Harley associated himself with Dissenters, partly from sympathy, partly from a politic resolve to detach them from the Whigs.

profitable a peace as possible after they had been clamouring for years for peace at any price.<sup>1</sup> This task, arduous for any Ministry, had to be faced by a Ministry which in many respects was positively incapable.<sup>2</sup> Harcourt,<sup>3</sup> the Chancellor, could not compare with Cowper. Strafford, the First Commissioner of the Admiralty, was a pushing, successful man who had made his way to an earldom by sheer tenacity and assertiveness.<sup>4</sup> Shrewsbury was a feeble nonentity, Dartmouth a violent nonentity. Harley had passed his time too long in little ways to be at home in a great position, and his excessive intemperance was a serious drawback to the conduct of public affairs. There remained St. John and Robinson, the Lord Privy Seal: both were of great ability, and St. John a man of genius. But St. John, one of the most interesting figures of this or any epoch, possessed as he was of a magnificent physical frame as well as a superb intelligence, had at the age of thirty-two too many and too divergent interests in life to be able to force all his energy into one channel. The Ministry consisted, therefore, of a tipling Lord Treasurer with a taste for books; a man of genius for Secretary, who was also an accomplished rake in

<sup>1</sup> 'Another victory might have been more fatal to the Nation than the most ignominious peace.' To enter on negotiations in this temper is perilous work. See *Complete History of the Treaty of Utrecht*, London, 2 vols. 1715, 1,298 pp. Very valuable. 'It is Peace England wants, and not to change wars' (*Wentworth Papers*, ed. 1883, p. 302).

<sup>2</sup> Four years of office did not develop any latent talent. Bolingbroke confessed that the cause went back rather than forward. 'The sterility of good and able men is incredible.' Stanhope, ed. 1839, vol. i. p. 129, footnote quoting Erasmus Lewis, 1714.

<sup>3</sup> Also 'strongly suspected of being a Jacobite.' Campbell, *Lives of the Chancellors*, ed. 1840, vol. iv. p. 345. But Lord Campbell says that Bolingbroke 'notoriously attempted to defeat the Protestant succession,' *ib.* 344. A great lawyer,' p. 453, but 'not a profound equity judge' (*ib.* 456).

<sup>4</sup> He lacked ability and *savoir faire*. See Schulenburg to Leibnitz; Emden, July 12, 1714. *Kemble's State Papers*, ed. 1857.

<sup>5</sup> See Rémusat, vol. ii. pp. 223, 224, for an excellent summary of St. John's political embarrassments. 'Ce n'est pas l'habileté qui manquait à sa politique, c'est plutôt sa politique qui aurait compromis son habileté.' Again: 'Il y avait dans une telle situation une fausseté et une complication qui défiait toute la dextérité du plus adroit, toute la prudence du plus sage, tout le courage du plus intrépide.'



the heyday of youth ; and an extremely able Lord Privy Seal in the person of the Bishop of Bristol, the last of the great statesman-Churchmen of England. The others were useless except for administrative purposes. Compare this ill-assorted trio and their followers with the chiefs of the Whig party :<sup>1</sup> consider their bearing and abilities side by side with the assurance, the resource, the weight, the experience, the hard arrogance, the clear-headed views, and the unscrupulous opportunism of the Junto. If we go deeper and examine the rank and file of the two parties as exemplified in the October<sup>2</sup> and Kit Kat<sup>3</sup> Clubs, how great is the disparity in favour of the Whigs! The October Club was an assembly of young Tories bent on noisy revels. They had but little brains beyond the requisite amount to supervise their stables, and their political opinions were violent, absurd, and in open censure of their nominal chief. The Kit Kat Club was really a social assembly of the leaders and many members of the Whig party. It was a sort of permanent joint committee of the party in the two Houses, meeting regularly to concert political measures in an informal manner. Such excellent organisation and such excellent material could not fail of success. The party struggles of 1710-1714 were the conflicts of an undisciplined force ill provided and badly led against a regular army in perfect training.<sup>4</sup>

We have now examined in outline the history of the development of political parties during the reign of Queen Anne. This excursion might be extended almost indefinitely.

<sup>1</sup> 'An impenetrable phalanx.' Very just (Coxe, ed. 1893, vol. iii. p. 346).

<sup>2</sup> See the very amusing *Secret History of the October Club*, 1711. *Brit. Mus. Cat.* 101, d. 6. Take the resolution No. 5:—'That Anthony Marquis de Guiscard should in all their writings and discourses be damn'd for a poltron and a scoundrel, not for assassinating or stabbing Mr. Harley, but for doing it by halves.' Mr. Harley was these young bloods' nominal chief!

<sup>3</sup> See the List of Original Members in Oldmixon, p. 479.

<sup>4</sup> Bolingbroke, emphasising the baneful effects of Harley's influence, says that from the autumn of 1713 there was, practically, no government in England. See letter to Sir William Windham in the works of Henry St. John, ed. 1754, vol. i. p. 26. This seems overstated, but M. de Rémusat, a temperate writer, adopts it. See his *History*, vol. i. p. 276.

It might be made to cover the question of the simultaneous creation of twelve peers, the secession of Nottingham, the Occasional Conformity Bill, the fall of Marlborough and the Duchess, and an examination of the rise and influence of political clubs during the reign of Queen Anne. Any or all of these attractive subjects might be pressed into the service of this dissertation. The difficulty has been, not to find material, but to find the clue which will guide future investigators through the material which is accessible in such abundant measure. That period of history which is so often referred to as 'incomprehensible,' 'inexplicable' or 'mysterious' becomes clear and interesting in the light of the view of the Queen's character which is here attempted to be set forth. That view is founded upon the incontestable evidence of the Queen's correspondence, the ability disclosed in her letters, and the coincidence of the change of her attitude with the last rebuff which she received from Marlborough. It is, it is submitted, borne out by the dexterous manner in which the Queen handled all matters great or small—the trial of Sacheverell or the appointment of Lieutenant of the Tower—so as to make them subserve her aim of asserting her prerogative. It is exemplified by the events of 1710, when, after two years of careful preparation,<sup>1</sup> the Queen was able at one blow to shatter to pieces the apparently solid edifice of the Whig Ministry, and it is at least highly improbable that a Stuart princess who was also a granddaughter of the great Earl of Clarendon would prove to be the inert creature she has hitherto been decided to have been. But while asserting that the ministerial events of 1708–1710 are not 'mysterious,' still less the result of 'petty intrigue,' while claiming for the Queen the credit of an important assertion of the prerogative,<sup>2</sup> there has been here no attempt to thrust her into the

<sup>1</sup> Rapin says that this *coup d'État* was the result of an intrigue which he does not pretend to understand. In effect the *coup d'État* is incomprehensible if Rapin's (and the popular) view of Queen Anne is accepted (Rapin, *Whigs and Tories*, p. 42).

<sup>2</sup> Sir William Anson (*Law and Custom of the Constitution*, ed. 1892, vol. ii. p. 35) does not take quite such high ground.

position variously assigned to Dr. Sacheverell, to Mrs. Masham, and to half-a-dozen other prominent figures of the period. To plunge into the political intrigues of the parties who quarrelled with each other in Parliament and Court would have appeared to Anne a derogation of duty. The Queen never forgot that she was Sovereign. If she was pleased to allow great familiarity to one or two favourites, she knew how to put them in their proper places when duty called for the sacrifice. From the year 1702 to the year 1708 Anne reigned. Not until the jealousy and violence of parties threatened the safety of her kingdom did she begin to rule. So soon as she had duly reminded the leaders of both parties that there was a Queen over them she was content to reign once more. Through missing this conclusion, or, perhaps, in order to avoid it, historical writers have been driven into untenable positions. Lord Stanhope<sup>1</sup> says: 'If there were in England any person duller than her Majesty that person was her Majesty's consort,' a comment which has no illuminating value whatever. In Somerville<sup>2</sup> we find that the Queen 'had imbibed all the keenness of a party spirit,' a most unfair remark. The Queen's Tory sympathies were never disguised, but never allowed to control her actions. For example, so soon as she perceived that the grand Tory measure of the Occasional Conformity Bill was dangerously compromising the Whig support of the war, she withdrew her support from it, although it had all her sympathies. So soon as it was made clear that she must choose between Marlborough and Harley, she accepted Harley's resignation, although he was the most welcome of all her Ministers. When it became apparent that she had been tricked, and that there was not the smallest ground for accusing Harley, she was naturally most resentful of the treatment to which a trusted Minister and friend had subjected the Crown.<sup>3</sup> But when, after two years of struggle, she had reasserted herself, she had no

<sup>1</sup> *History*, ed. 1839, vol. i. p. 38.

<sup>2</sup> *History*, ed. 1798, p. 568.

<sup>3</sup> 'Since that time the Queen was never rightly well with those two Lords' (*Wentworth Papers*, ed. 1882, p. 132).

feeling against the Whigs *qua* Whigs. It being clearly established that Anne was Sovereign, a good Whig was as acceptable to her as a good Tory. Witness her behaviour to Lord Cowper, the Whig Chancellor, on whom she five times pressed the Great Seal after the *coup d'État* of 1710.<sup>1</sup> When Cowper attended for the formal interview (generally lasting about two minutes) the Queen reasoned with him for three-quarters of an hour, and refused to accept the Great Seal until he had reconsidered his resignation for another twenty-four hours. She constantly consulted<sup>2</sup> him during the Tory Ministry of 1710-1714. Evidence on these lines is forthcoming in abundance.

Mr. Coxe<sup>3</sup> says that the Queen was 'more cautious to screen her favourite than to assert her prerogative,' but inasmuch as Mrs. Masham's presence at Court was the external symbol of the Queen's prerogative, this comment on the Queen's behaviour appears (like a hundred others) to spring from inattention to the Queen's character.<sup>4</sup> M. de Rémusat<sup>5</sup> not obscurely hints that the Queen was a drunkard.

Mixed up with all this vulgar abuse and idle tattle we find it admitted, as if the admissions were unimportant, that Queen Anne was a woman of strong affections and great piety, that she had much personal dignity and a high sense of the importance of the prerogative and her own duty in maintaining it as part of the Constitution. But these are large

<sup>1</sup> Lord Cowper's *Diary* (September 22, 1710), p. 46. The explanation commonly given of this is that Harcourt had been extravagant, and could not afford to accept the Great Seal. Granted, although in point of fact he did accept the Great Seal. Still the episode proves, I think, that the Queen was sincere when she said that a good Whig was as welcome to her as a Tory.

<sup>2</sup> And other Whig leaders, Wyon (cf. *Diary*, June 1712, p. 53).

<sup>3</sup> *Memoirs of Marlborough*, ed. 1889, vol. iii. p. 19.

<sup>4</sup> Similarly, to speak of the Queen as being 'awed' by the Duke, as Mr. Coxe does (iii. 20), appears an exaggeration. Anne, like many affectionate and easy-going people, male and female, permitted almost any liberty to be taken by those to whom she had given her confidence. But there was the force of the rebound to be reckoned with; and at no time of her life could it be said of her, with propriety, that she was 'awed' by anybody.

<sup>5</sup> He says that she drank 2,500 bottles of champagne sent to her by Louis XIV. laced with brandy.

admissions. Such an assemblage of fine qualities makes up an important character. These severe lines, however softened by the Queen's boundless good-nature and frank enjoyment of the simple pleasures of life, indicate a considerable personality. Anne was not a cloud-compeller—she did not pretend to be. Such a pretension would have accorded neither with her sense of duty as a Constitutional Sovereign nor with her personal inclinations. She was not greedy of power—she may almost be said to have been indifferent to it. Yet she was surrounded by strong characters, and the strongest of them trembled before her. There is a great deal in position ; yet the opportune assertion of position is in itself a gift, and a gift which was possessed by no other Stuart Sovereign. The failure to appreciate the Queen's influence is the root of much of the ' mysteriousness ' with which the political movements of her reign have been invested.



# THE DECAY OF VILLEINAGE IN EAST ANGLIA

By MISS FRANCES G. DAVENPORT

*Read May 17, 1900*

THE material upon which this paper is based is largely confined to the unpublished records of a single Norfolk manor. The aim of the paper is to sketch so far as possible the conditions that within this manor effected and accompanied the decay of serfdom.

The manor selected for study is Forncett, the property of Roger Bigod and to the present century of the earls and dukes of Norfolk.<sup>1</sup> Side-lights on the history of Forncett have been obtained from the records of the adjoining manor of Moulton, and of a few other Norfolk manors.

A series of fifteen account rolls, incompletely covering the period from 1272 to 1307, gives us a glimpse of the manor of Forncett as it was at that period. It was organised along familiar lines. As we should expect in a Norfolk manor, there were many free tenants as well as serfs. But it is with the serfs alone that we are here concerned.

The holdings of the serfs were very small. The typical servile tenement was only five acres in extent. It was burdened with week-work, although not very heavily, in comparison with other manors. From Michaelmas to Lammas Day some of the serfs were required to labour two days in the

<sup>1</sup> Some three years ago Mr. A. C. Cole, the present owner of Forncett Manor, most kindly allowed me to examine the Forncett records, and, to facilitate my work, consented to deposit them in the Public Record Office. Through the courtesy of the officials of the Public Record Office I was permitted to consult the rolls there. Mr. Cole has since presented these rolls to the Cambridge University Library, where they now are.

week on the lord's demesne. From Lammas Day to Michaelmas—three days. Besides this they rendered a few carting and carrying services, made sundry small payments in kind, and paid a small money rent yearly. Altogether the labour rents charged upon the manor amounted to 1,505 winter works, 245 summer works, 1,223 autumn works, 341 *averagia* or carrying services, 43 autumn cartings, 120 autumn boon works, the brewing of  $21\frac{1}{2}$  quarters of malt, and some ploughing services. The heavier services seem to have been originally imposed on the basis of  $21\frac{1}{2}$  tenements, but there seems also to have been bond land outside these tenements, which was exempt from some of the heavier burdens.

These labour rents went far towards the cultivation of the demesne, of which from 200 to 250 acres were annually sown ; though hired labour was also employed.

In no year were all the labour rents that were charged upon the manor actually performed ; some were always sold to the tenants for a money equivalent, and as the demand for labour varied from year to year, according to differences of weather, differences in the area under cultivation, and for other reasons, so it happened that in some years a larger and in some years a smaller number of works were commuted in this way.

And here the question naturally suggests itself, was there a growing tendency to commute the labour rents of the tenants and substitute hired labour for customary labour in the cultivation of the demesne ? Was it through commutation that the serfs rose towards the economic and social level of the free tenants ?

A careful examination of the rolls discloses no clear indication of a tendency towards the substitution of hired for customary labour. The permanent hired servants employed in 1272 were four ploughmen, one carter, one harrower, a cowherd, and a dairy-maid. The number of herds employed varied slightly from year to year, according to the kinds of stock maintained on the demesne. In and after 1300 the annual money wage of the dairy-maid was raised from one



shilling to two shillings yearly, and a second maid was hired. Otherwise there was no change in the number or in the wages of these servants, who were, of course, mostly paid in kind.

Besides these permanent servants other labourers were occasionally employed on the demesne—such as carpenters, thatchers, masons, coopers, ditchers, and threshers. They were paid in money. There was a very marked decrease in the amount of this kind of labour hired. This decrease is doubtless to be explained by local circumstances. The management of the demesne was less strenuous in the later than in the earlier years for which we have information. Less building was being done : a smaller acreage of demesne was cultivated. This diminished demand for labour also sufficiently accounts for the more frequent commutation of the labour rents of the customary tenants in the later years of the period under consideration.

It cannot be said that there is no trace of the policy of permanently substituting money payments for labour rents ; for the 120 autumn boon works were invariably commuted, and half of the ploughings were usually sold. But certainly such commutation had made very little headway by 1272, and if it made progress in the thirty-five years following, the change is scarcely perceptible. A most important part of the cultivation of the demesne—the reaping and binding of the entire grain crop—was throughout the period the work of the tenants exclusively. One form of labour was in 1278 and later more largely performed by the customary tenants than at an earlier time. In the two earliest years for which we have information—1272 and 1275—most of the threshing was performed by hired labour, but later the larger part was the work of the tenants. The change was made purposely ; for in the margin of the account roll of 1280 it is noticed that in future threshing is to be done by the tenants. And though subsequently hired labour was sometimes employed for this purpose, yet most of the grain was thenceforth threshed by the ‘customers’ of the manor. A comparison of the wages paid to hired threshers, and the money paid by the tenants in

commutation of their services, indicates that this change from hired to customary labour was advantageous to the lord.

From 1272 to 1307 no important changes occurred in the organisation or administration of the manor. Between these years there is no clear evidence of a growing tendency to commute labour services for money rents, or to substitute hired labour for the customary labour of the tenants. There are no clear indications that serfdom or the system of labour rents on which it was based were being undermined.

The second period in the history of Forncett Manor for which we have any considerable amount of evidence covers the years 1376 to 1378. Two account rolls for these years are preserved, and there are several court rolls dating from about this time.

While the thirty-five years from 1272 to 1306 were years of stagnation, within seventy years (between 1306 and 1376) the economic position of the serfs, the administration of the demesne, and the whole organisation of Forncett Manor were revolutionised.

Much of the tenants' land was held on new conditions. In 1378 some 250 acres of land formerly held by tenants, and much of it at labour rents, had reverted to the lord, and had then been let by him to different tenants at money rents, either for terms of years or from year to year.

An examination of the rolls of both Forncett and Moulton manors leads to the conclusion that the lords of these manors were not accustomed to demise land for terms of years until after 1349. The tenants frequently leased out their lands for terms of years, but the lord did not do so, at least to any great extent, before the time of the Plague. A Moulton roll of 1349 shows that the Black Death was severely felt in this locality, and that as a result many tenements reverted to the lord. The roll also bears out the statement of the chroniclers that the Plague spared children, for most of the tenements that fell into the lord's hands were to be retained by him only during the minority of the heir. The land that had thus come into the lord's possession for a limited period

might be made a source of revenue through leasing it out for a term. Since labour was scarce the lord might more readily derive an income from the land in this way than by cultivating it for his own benefit.

But another cause was at work which seems to have been at least as potent as the death of tenants in bringing about the reversion of tenements to the lord. This was the 'waiving' of tenements by their holders, and with this is to be associated a social phenomenon of the times—the flight of tenants from the manor.

Two instances of the 'waiving' of tenements by their occupants occur in the Forncett records before 1349. These cases are entered in the court roll of 1333. The two serfs who at that time waived their holds did so *ob inopiam*—that is, on account of extreme poverty or on account of insufficient physical strength to work the holdings and render labour services to the lord.

The Forncett account rolls of 1376–8 show numerous instances of the waiving of tenements, but prompted, as will be shown, by other motives than that assigned in 1333. Before 1378 from sixty to seventy tenements had fallen into the lord's hands. It was the serfs especially who were relinquishing their land; for a far larger proportion of the tenements charged with week-work were abandoned than of the more lightly burdened tenements. The serfs were now relinquishing their holdings not on account of poverty, as in 1333, but because they were leaving the manor. Owing to the lack of Forncett court rolls for most of the years between 1348 and 1373 it is impossible to say at what time the flight of serfs from the manor began. But in 1373 and later it was the subject of frequent inquiries and injunctions in the manor court. Thus in a court roll of 1373 eight bondmen and bondwomen are named as having withdrawn from the manor. It is ordered to attach these and 'all other bondmen and bondwomen who have withdrawn.' The same roll contains a memorandum to inquire whether a certain serf—not one of the eight fugitives named elsewhere in the roll—has withdrawn

his chattels from the manor. An unusually explicit entry occurs in the roll of 1395, where a bondman is fined 12*d.*, because contrary to the statute and to the prohibition of the steward, for the purpose of getting greater gain in the autumn season he withdrew from the vill and from the lord's demesne, where he had been dwelling. This last was probably a temporary withdrawal only, but others were permanent.

Out of the sixty or seventy tenements that had reverted to the lord by 1378 eighteen were charged with 'winter' week-work. In the case of several of these eighteen tenements reasons are assigned for their reversion. Four had been waived by former occupiers; in two more cases the tenants were making annual payments of 12*d.* and 2*s.* respectively, that they might be 'exonerated' from their holdings. Two tenements had been escheated and one had reverted 'for lack of tenants.' For the reversion of the nine other tenements no reasons are assigned.

The return of so many tenements to the lord, whether upon the death or the withdrawal of the holders, and the re-letting of these tenements for money, had important consequences. One result was that many of the labour rents were no longer available and were accounted for by the bailiff as 'decayed.' Thus by 1378, out of the 3,219 week-works then charged upon the manor, 1,722, or considerably more than half, had decayed. And here again is evidence that the decay of services was largely due to the flight of the serfs who had cultivated the demesne; for of the so-called winter week-works due from Michaelmas to June 29, and charged upon twenty-five tenements, 83·4 per cent. had decayed; while of the autumn week-works due from August 1 to Michaelmas, and charged upon some 78 tenements, of which few rendered any other labour services, only 39 per cent. had decayed. Evidently it was from the tenements most heavily burdened with labour dues that the tenants were withdrawing.

In the case of two tenements it must be admitted that the decay of services was not the result of the reversion of the tenements to the lord. For one holding was free from labour

rents (including 61 week-works) by charter of the earl, and another was exempt through commutation. Commutation does not seem to have played an important part among the causes leading to the disappearance of labour dues in Forncett Manor. But a single instance occurs, to which the decay of 120 week-works is attributable.

On account of the diminished number of labour services available it is clear that the customary labour of the tenants would no longer have sufficed for the tilling of the demesne. But the lord had already ceased to cultivate land for his own use. 166½ acres, apparently half the demesne, he had leased for a term of years, while also leasing for a term the right of pasture on the remainder. The demesne was first leased between 1358 and 1373. The date cannot be more precisely determined.

The decrease in the amount of labour rents available which must have been felt immediately after the Black Death, the high price of hired labour, and the restless and refractory spirit of the tenants, of which there is abundant evidence in the rolls of Forncett and of Moulton, as well as of other Norfolk manors, were doubtless the causes that finally induced the lord to give up the cultivation of the demesne.

After the leasing of the demesne the serfs occupied a much less important place in the manorial economy than formerly. Before 1349 the chief source of income to the lord was the sale of grain from the demesne land. The expenses connected with the cultivation of this land were light, since the labour was performed by the servile tenants. To secure a constant supply of labour it was advantageous for the lord that a certain number of serfs, rendering labour rents, should always be kept on the manor. But after the lord let the demesne his chief source of income was the money rents that were paid by the lessees of the demesne and of other lands. The peculiar value of the serfs as tenants had fallen. Though their labour was still employed—as in the repair of the demesne buildings—yet their presence on the manor was no longer essential.

But the serfs were still profitable. Their chattels belonged to the lord and they paid for certain privileges. Thus both bondmen and bondwomen in Forngett paid fines for license to marry ; their executors paid for license to administer wills, and several other privileges were obtainable only by purchase. But even though the serf left the manor, and was no longer a tenant, his property still belonged to the lord, and fines might still be paid. Therefore in 1378 and later the flight of tenants from the manor was not so serious a loss to the lord as it may have been before he ceased to cultivate the demesne ; and if the lord could follow his serfs in their migration, and maintain his rights over them, he seems to have been willing that they should withdraw—on condition of a small annual payment.

But although many serfs had left Forngett by 1378 many still remained ; for in 1400 at least sixteen servile families were represented among tenants of the manor.

The rolls throw some light on the condition of the bond tenants who were on the manor in 1378.

Only some seven tenements were still rendering winter week-work ; for, as has been said, the other eighteen tenements that had formerly been charged with 'winter' work were now held at money rents. Of the works due from these seven tenements in 1378 three-fourths the number, or 318 works, were performed, being mainly expended in the rougher labour connected with the construction of the steward's house, of the demesne stables, and in the repair of walls.

How long after 1378 'winter' week-work was rendered cannot be determined ; but it is extremely probable that the withdrawal of tenants from the manor, of which there are many instances after this time, soon left in the lord's hands all the heavily burdened tenements.

The serfs, indeed, had good reason to abandon the tenements that rendered 'winter' week-work ; for now that the value of labour had risen the rent charged upon them was exorbitant. The average rent per acre at which land was let in Forngett in 1378 was 10*d*. But the money value of the

services and payments due from some of the tenements on which winter week-work was charged, even when estimated at the very low rate for which the services and payments in kind might be commuted, was a little more than 2s. an acre. According to a fairer valuation the services were equivalent to a money rent of 3s. 9d. an acre, so that it is not surprising that a tenant was willing to pay 2s. yearly that he might be 'exonerated' from a holding of this kind.

But in 1378 a majority of the serfs held land which was relatively free from labour dues. It is noteworthy that some of them had holdings that were large, as compared with the five-acre holdings of an earlier time, and that the principal lessees were bondmen.

Of the seventy-three lessees mentioned in the account roll of 1378 sixteen seem to have been serfs. Of these eleven farmed small amounts of only two or three acres apiece, and certain demesne buildings; one farmed six acres and two demesne buildings; another eight and a half acres. Of the three other lessees Robert Herberd and Robert Houlot farmed the demesne, both arable and meadow, together with William Hernyng. Houlot also leased the manor of Williams, held of Forncett Manor, for which a yearly rent of 8*l.* was paid; Hernyng also farmed the market tolls, and jointly with another tenant, who was probably a free man, he leased a holding of twenty-five acres in Redelyngfeld. Except the joint lessee of Redelyngfeld all the farmers of considerable amounts of land were serfs. With two exceptions the lessees of all the demesne lands and buildings were serfs.

About this time the bondmen were also acquiring 'soiled land'—that is, land originally free, but after its purchase by a serf held, like bond land, 'at the will of the lord.' Different members of the Bolitout family—one of the bond families that appear most prominently in the Forncett records—'soiled' thirty-two acres, four and a half messuages, and several small parcels of land, apparently between 1358 and 1376.

In 1400 sixteen families of servile status held land of Forncett Manor; in 1500 not more than eight bond families

were tenants ; a quarter of a century later there were but five, twenty-five years later only three, and by 1575 serfdom had disappeared.

After 1400 the history of serfdom in Forncett is the history of these sixteen families.

The Forncett court rolls from 1413 to 1422, and from 1509 to 1524, are missing ; but otherwise the series is practically complete, so that it is possible to trace with fairly satisfactory results the history of each family during the period. The rolls show how much 'soiled' or 'bond' land a tenant entered upon or alienated ; how much he held of Forncett Manor at the time of his death, and to whom it passed ; and what land he leased from the lord. They contain lists of chevage-paying bondmen, often naming the place from which the serf is paying chevage, and, rarely, stating his occupation. Eleven wills of bondmen and five manumissions are also entered in the rolls.

Beside the sixteen families mentioned, members of five other servile families are referred to in the rolls between 1400 and 1412. In one case a chevage-paying tenant had died, and it was ordered to inquire concerning his heir. In four cases orders were given to seize or distrain bondmen who had withdrawn. As no serfs bearing the surname of these fugitive bondmen appear in the later rolls, we may assume that the last representatives of these families that were connected with the manor won their freedom by flight.

A brief account of each of the sixteen bond families holding land of Forncett Manor, after 1400, follows.

*The Aunfrey Family.*—In 1404 John, son of the bondman William Aunfrey, was remaining away from Forncett Manor without license from the lord. A few years later his father sold his land and joined his son. Apparently neither father nor son ever paid chevage or returned to the manor. It looks as if they had freed themselves by withdrawing from Forncett.



*The Bakfyn Family.*—From 1400 to 1444 Nicholas Bakfyn dwelt in Norwich and paid chevage. His father died in 1408, seized of seven acres of land, which passed to Nicholas. This land Nicholas seems to have alienated within a few years after his father's death. After 1444 the name of Nicholas ceases to appear in the list of chevage-paying tenants, so that his death probably occurred about this time. Either he left no descendants or in some way the ties had been severed that would have bound them as serfs to Forncett Manor.

*The Baxter Family.*—About the year 1422 five bondmen of this name were connected with the manor. Of these two died without male descendants; a third dwelt outside the manor for several years and paid chevage until his death; a fourth fled, and though the order to 'attach' him was repeated at several courts it seems never to have been executed. Thus, in consequence of the failure of male heirs and of withdrawal from the manor, only one branch of the family retained its servile status.

The members of this family held from ten to twenty acres of land apiece. The wills of John Baxter, who died in 1544, and of his widow, who died six years later, are both recorded in the rolls, and indicate that the family were in comfortable circumstances. John's real property consisted of two messuages and ten and a half acres; his chattels were valued at 8*l.* 4*s.* 5*d.* His widow bequeathed two mares, a colt, nine cows, two bullocks, pigs, fowls, clothing, and various household furnishings. John left a son, Thomas. The references that occur to Thomas in his parents' wills give us an unfavourable impression of his character. In 1556 it is recorded that Thomas has been convicted of felonies, and that by reason of his attainure all his lands had escheated to the lord. Thus Thomas ceased to be a tenant of Forncett Manor; for one year he paid chevage, and after that we hear no more of him.

In the latter part of the fifteenth century there were two chevage-paying bondmen of this name. Willian Baxter is also named as remaining in London from 1524 to 1527.

Between 1525 and 1556 John Baxter of Tivetshall and

his children paid chevage. In 1556 a writ of manumission was granted by the Duke which freed John, his children, and all their descendants 'from the yoke of servitude.' At the same time four other families, besides the Baxters, were freed, the writs of manumission being practically the same in all cases. Each writ was said to have been granted 'in consideration of certain sums of money.'

Possibly we have a clue to the amount paid in one instance, for just before his manumission one of the manumitted serfs, John Dosy, surrendered his lands to two tenants on condition that they pay to the Duke the sum of 120*l*.

*The Bole Family.*—In 1443 Roger Bole died, seized of one messuage and one and three-quarter acres. The rather small fines paid by his children for license to marry are explained on the ground of poverty. Shortly before his death in 1467 Roger's son, Robert, was seized of four and a half acres, which passed to Walter Bole. Walter seems to have alienated this land. What became of him afterwards does not appear. His son paid chevage (1466–1472). Between 1428 and 1506 three other bondmen paid chevage.

A second son of Roger Bole died in 1477, seized of a messuage and twenty-two acres. He was also a lessee of the manor of Williams, for which a yearly rent of 8*l*. 6*s*. 8*d*. was paid. Apparently this branch of the family became extinct in the male line in the early part of the sixteenth century.

*The Bolitout Family.*—The most noteworthy circumstances in the records of this family during the fifteenth century are the relatively large amounts of land held by some of its members. Thus in 1410 one tenant had seventy-eight acres and four messuages, and two others (possibly heirs of the first) had forty-four acres in 1425 and 1474 respectively. Most of the other tenants (of whom at least eleven may be distinguished) held from four to six acres, although one held as much as sixteen and another less than two acres.

In the year 1500 there were four tenants of this name. Of these one seems to have left the manor and to have become a chevage-paying tenant. A second also 'surrendered' his

land and paid chevage from a neighbouring village. His will, dated 1506, shows that he held a house and lands, although not of Forncett Manor. His bequests were insignificant—12*d.* to the parish church, a cow to his wife, and to each of his four daughters 'if it may be borne.' Corn and cattle were to be sold to pay his debts, including a debt of 100*s.* This bondman left a son, but the later history of this family cannot be traced, as the rolls from 1508 to 1524 are missing.

In 1524, a few months before his death, the third tenant—Walter—held land to the value of 40*l.* At this time he had two married daughters, but no sons, and bargained with his son-in-law, John Crane, with a view to transferring to Crane all his lands and tenements. But Walter's other son-in-law, John Roo, felt that he would be injured by this transaction, and tried to prove that the bargain had not actually been effected. A number of servants (*servientes*) are incidentally mentioned as belonging to the households of Walter and his children. Thus one of the witnesses who testified in the manor court in Roo's behalf and against Crane was a young woman, the 'servant' of Walter; a second witness against Crane was 'arrested,' the next year, by two of Crane's 'servants.' A third 'servant' of Crane was charged with striking a woman 'servant' of Roo. Within a year or two Crane had died and the bailiff was ordered to seize all the lands that his widow held and provide a new tenant. A few months later an entry appears that suggests that serfs might be disseized of their lands on grounds that would not have sufficed had the tenants been of free status: 'Now on this account, because the daughters of Walter Bolitout are bondwomen of blood, it has been ordered by the lord's special command—certain considerations related and declared here in full court by the surveyor moving him thereto—to seize all the lands and tenements (of which Walter died seized').

The fourth tenant, William, held at least thirty acres at his death in 1551. One of his sons died in 1538. His goods were valued at 4*l.* 4*s.* 2*d.* He left two infant sons, who never,

apparently, became tenants of the manor. William's second son, a carpenter, held a messuage and three acres. In 1556 he and his descendants were manumitted.

Many members of this family dwelt outside the manor. Between 1400 and 1411 some four bondmen fled, whom the lord seems to have been unable to attach. During the fifteenth century seventeen bondmen paid chevage, and during the sixteenth century nineteen. In 1556 one of the chevage-paying serfs was manumitted, together with his descendants, some five or six of whom had previously paid chevage.

*The Brakest Family.*—Between 1400 and 1406 three men and three women of this name dwelt outside the manor. In 1409 three more bondmen fled, 'relinquishing' their land. One relinquished eight acres, another five acres, the third two and a half acres. In the following courts up to 1412 it was ordered to seize these fugitives. The rolls from 1412 to 1422 are missing, so that we cannot trace them further.

In 1428 William Brakest died, seized of one messuage and fourteen acres. Richard, his brother and heir, took the land, but in the same court alienated it to a tenant of different family. This is the last entry in which a member of the Brakest family appears as holding land of Forncett Manor. After alienating his newly inherited property Richard did not at once leave the manor, but although dwelling in Forncett he paid chevage, because he was not a tenant. Two years later he paid 6*d.* for license to remain in Metfield, Suffolk. In 1432 he had fled from Metfield and paid no chevage. It was, therefore, ordered that he be attached. The next year the order was repeated, and this is the last entry in the Forncett records relating to the Brakest family. Apparently they had gained their freedom by flight from the manor, and to obtain their freedom some of them were willing to leave their land.

*The Dossy Family.*—A member of this family died in 1441, seized of five messuages and fifty-two acres. In 1487 his son died, seized of five messuages, two half-messuages, and sixty acres. In 1500 there were three tenants of this name. One died

without descendants. He held two messuages and 110 acres. His money bequests amounted to between 9*l.* and 10*l.* He left a legacy to a woman servant.

The second tenant held at his death one messuage and 5½ acres. His bequests in money came to 12*s.* His son seems to have been one of the chevage-paying serfs.

The third tenant was seized of seven messuages, two half-messuages, and 86 acres. It was the oldest son of this tenant who, in 1556, was manumitted, together with his children.

Within the fifteenth century, so far as the records show, no member of this family withdrew from Forngett. But in the sixteenth century there were two chevage-paying bondmen, who were probably sons of the tenants already mentioned.

*The Forngett Family.*—Just before his death in 1429 a tenant of this name 'surrendered' to his daughter 1 messuage and 15 acres. In 1435 another tenant alienated 1½ acre. This is the last occasion on which the family name of Forngett appears in the conveyances of land. Apparently no one of the name paid chevage.

*The Haughne Family.*—One member of this family paid chevage in 1400 and 1401. In the fifteenth century three tenants held small quantities of land. In 1501 the last of these died, seized of 13½ acres, which passed to his daughter and heir. He bequeathed 3*s.* 6*d.* to religious uses; left to his wife a croft and 2½ acres, part of the barn, the west end of the hall with the chimney and the soler thereover, and half the fruit garden.

*The Herberd Family.*—Within the first half of the fifteenth century three tenants of this name held from 4½ to 13½ acres. The branch of the family that remained on the manor seems to have failed in the male line by 1444; at any rate the land did not pass to male heirs. In the early years of the fifteenth century three serfs paid chevage. Of these one seems to have returned to the manor as a tenant, one fled, and the orders to 'attach' him seem never to have been executed.

*The Hillyng Family.*—Members of one branch of this family held 13¼ acres in 1433, 18½ acres in 1469, 20¾ acres in 1493. The last male representative of this branch of the family died

in 1506 holding land, as his will states, of five different manors. He held 25 acres of Forncett. The second branch of this family was seized of smaller amounts of land—in 1471, four acres; in 1490,  $5\frac{1}{4}$  acres; in 1501,  $8\frac{3}{4}$  acres; in 1556,  $9\frac{1}{2}$  acres. In 1556 the members of this family were manumitted.

There is no evidence that any serfs of this name paid chevage before 1500. Later two men paid chevage, of whom one was freed by the manumission already referred to. The other died in 1536 without male heirs. From his will and the inventory of his goods it appears that he was a weaver. His goods were valued at 3*l*. They included a mare, 5 kine, 9 sheep and lambs, 4 swine, a pair of looms, a mattress, blankets, two coverlets, pots and dishes, and sundry other articles.

*The Hirnyng Family.*—There were three male tenants of this name, each of whom held at least 25 or 30 acres. The holding of the first of these tenants passed to his son, Peter; the greater part of the land held by Peter passed to his daughter. The third tenant 'surrendered' some 25 acres in 1461, and we cannot trace him further. Later four bondmen paid chevage. Of these one died in 1505, holding land, though not of Forncett manor. In his will he directed that 20*s*. be spent upon his burial; his bequests in money amounted to about 2*l*. One son of this bondman ceased to pay chevage, 'because he had suddenly left the country;' another failed to pay 'on account of poverty.'

*The Houlot Family.*—Robert Houlot, who died in 1401, is probably to be identified with the Robert Houlot who, in 1378, leased the manor of Williams and the demesne of Forncett Manor. Shortly before his death he was seized of six messuages and 160 acres. After his death it was ordered to seize 236 acres that had passed through his hands, and were held by divers tenants whose title was not clear.

Houlot's property passed to his daughter and heir, Margaret. In 1408 Margaret and her husband 'surrendered' a small amount of land on condition that the incoming tenants

should make cloth for them and their servant during their lives, or else pay 2s. yearly.

*The Hulle Family.*—Representatives of the three generations of this family, living in the latter half of the fifteenth century, held respectively two messuages and seventeen and a half acres, two messuages and twenty-eight acres, and twenty-five acres. In 1501 the son of the last of these tenants sold his land, remained in Forncett with the rector, and paid chevage till his death in 1503.

In the latter half of the fifteenth century two bondmen, and in the sixteenth century two or three bondmen, of whom one was 'poor,' also paid chevage.

*The Lound Family.*—A tenant of this name died in 1447, seized of seven acres. The land passed to his daughter, who was 'poor.'

In 1401 it was ordered to 'attach' a serf of this name who was in Norwich.

Between 1472 and 1556 five serfs paid chevage. Of these one, who died in 1540, is said to have been 'very poor;' another, who died the following year, had chattels valued at 76s. 7d.

*The Pelet Family.*—In the fifteenth century some six tenants of this name held small amounts of land—from four to eight acres. One tenant also leased twelve and a half acres, and afterwards his son leased the same. Later fourteen acres of demesne meadow were also leased by a father and son, In 1500 but one member of this family held land of Forncett. He was seized of four messuages and twenty-four acres. Three of his sons were tenants, but two of them at least, and probably all three, alienated their land. The last to hold land of Forncett 'surrendered' it in 1527, and soon thereafter 'fled' to Essex. He paid no chevage, and we may perhaps assume that by his flight he freed himself from all the ties that had bound him to Forncett Manor.

Between 1405 and 1527 nine or ten serfs paid chevage.

From the foregoing accounts of the bond families several conclusions may be drawn.

They indicate the manner in which serfdom disappeared. From 1400 to 1556 the number of bond families holding land of Forncett Manor steadily diminished, owing to the withdrawal of serfs from the manor, to the lack of male heirs, or possibly in some cases to failure on the part of the heir to enter upon his inheritance.

Withdrawal from the manor occurred under various conditions. In many cases the serfs fled, and the manorial officers failed to attach the fugitives. In other cases they paid chevage for license to remain away, and the lord apparently failed to keep account of their descendants or to exact any servile dues from them. After 1500 strict account seems to have been kept of the children of the serfs who dwelt outside the manor, and some of them at least paid chevage when they became of age. But, in the fifteenth century, if a serf left the manor, he was fairly certain to win freedom for his children, if not for himself.

Now, if the history of villeinage in Forncett is typical of its history throughout England, sufficient importance has not been assigned, hitherto, to the withdrawal of bondmen from the manor, as one of the causes of the disappearance of serfdom. Thus, in an article in the 'English Historical Review' for January 1900, Professor Cheyney says (p. 29), 'The fugitive villein appears as a regular character in the literature and the local and national records. . . . Yet these can have been only the restless spirits. All mediæval influences tended toward stability, not movement. . . . On the manor court rolls the notices of the departure are after all exceptional—the rolls rather show a striking continuity of population. . . . Flight, like voluntary manumissions, emancipated occasional persons, not a whole class.'

But neither the Forncett nor the Moulton rolls show continuity in the servile population, at least after 1350. The change comes slowly, but gradually the old names of the bond families disappear. In Forncett, by 1556, only three bond families were left as tenants of the manor.

In that year these families were manumitted, as well as



the families of two chevage-paying serfs. With the granting of these manumissions serfdom virtually disappeared, although as late as 1575 two or three serfs paid chevage yearly, and as late as 1563 a bondwoman purchased license to marry.

Many of the serfs who left the manor went to neighbouring villages. From 1400 to 1575 126 serfs are named in the extant rolls as having withdrawn to sixty-four different places. Sixty-seven serfs dwelt in thirty-six places, which were all within a radius of ten miles from Forncett; thirty-eight bondmen remained in sixteen places from ten to twenty miles from Forncett; and twenty-one were in twelve places, more than twenty miles distant.

Twenty-two serfs dwelt in Norwich—about twelve miles from Forncett; and of the twenty-one who had travelled furthest fourteen remained in towns along the eastern coast—Martham, Yarmouth, Lowestoft, Somerton, Scratby, Hemesby, and Eccles.

The occupations followed by these fugitive serfs can be known in only a few instances. One at least was a weaver; four are described as tailors, three as tanners; a saddler, shoemaker, smith, and carpenter are also mentioned. In a number of cases there is evidence that they were servants or agricultural labourers; and some who had ceased to be tenants of Forncett became tenants of other manors and cultivators of the soil.

How the serfs who left the manor prospered cannot be easily determined, though an occasional will, inventory, or valuation of their goods throws some light on this point. As for those who remained in Forncett, many certainly acquired holdings that were very large as compared with the tenements of their ancestors of the thirteenth century—amounting in a few cases to as much as a hundred acres. And their wills—all of which date from the late fifteenth or from the sixteenth century—suggest that at this period some of the serfs at least were in fairly comfortable circumstances.



NOTES ON THE DIPLOMATIC CORRESPONDENCE  
BETWEEN ENGLAND AND RUSSIA IN THE  
FIRST HALF OF THE EIGHTEENTH CEN-  
TURY.

BY MRS. D'ARCY COLLYER.

*Read January 18, 1900.*

THE occasion which gave rise to these notes was the discovery three years ago, at Blickling in Norfolk, of the diplomatic papers of John Hobart, second Earl of Buckinghamshire, who was ambassador to the Court of Russia from 1762 to 1765. These were entrusted to me by their owner, Constance, Marchioness of Lothian, to examine and catalogue, and among them, it soon became evident, were notes and memoranda relating to questions of a much earlier date than that of Lord Buckinghamshire's mission, which it was of interest to trace to their source.

So far, however, as I was able to discover, the detailed action of the English Government in these early diplomatic relations with Russia could be studied only in the manuscripts of the Record Office and of the British Museum, and it is the result of these studies which I have attempted to give in the following notes.

Among the Buckinghamshire papers one is of interest as giving the Russian point of view of the relations between England and Russia under Peter the Great. This is a small manuscript which contains the political system of Alexis Bestucheff-Rumin, a statesman who served his apprenticeship under Peter the Great, and survived to be minister during the

first years of Catherine II. It seems to have been Bestucheff's custom to give expression to his political views in this form for the benefit of the Czarina Elizabeth, for a reference to some such '*système*' occurs in the memoirs of Simon Romanovitch Woronzow, and Rambaud also mentions one of the year 1753.<sup>1</sup> I have not been able at present to discover whether this or the one in my possession, which is dated 1744, has been printed or is generally known in England.

Bestucheff's object in 1744 was to advocate the fidelity of his Government to the Anglo-Austrian Alliance at the outset of the war of the Austrian Succession, and in support of this policy he points out that the alliance of Russia with England was one of the oldest which she concluded with any European power, and that its utility was recognised in the days of Ivan Vassilovitch (the contemporary of Queen Elizabeth), because it was founded upon the reciprocal security of the two crowns against Denmark, Prussia, and Poland, and—what is, perhaps, more immediately obvious—upon the extensive commerce which had existed between the two nations from a very early period. The English trade, he says, long brought a very considerable revenue to Russia, and provided a market for the greater part of her produce, and of this Peter the Great had been so thoroughly aware that a constant alliance with England was the first object of his diplomacy, and in spite of a quarrel with George I. he was so convinced that the interests of Russia were bound up in those of England that the discontent which he felt on account of his private quarrel was never suffered to interfere with his friendship with the English people.

The Muscovy Company, which had enjoyed many privileges and a great share of prosperity since its first charter had been bestowed in 1555, received a fresh stimulus

<sup>1</sup> Rambaud, *Histoire de la Russie*, p. 442. The '*système*' of 1744 is now printed in the appendix to the *Despatches and Correspondence of John Hobart, 2nd Earl of Buckinghamshire*, edited by Mrs. D'Arcy Collyer for the Royal Historical Society, 1900.

on the occasion of Peter the Great's first visit to London in 1698.<sup>1</sup> Russian merchants were then already beginning to be eager for a regular treaty of commerce, their traffic hitherto having been dependent upon the permission of the Czar without any international agreement to which they might appeal. They were also anxious to be admitted to other ports beside that of Archangel, and were increasingly suspicious of Peter's own designs upon the Northern, Turkey, and Persian trade, which was clearly the object of his vast canal works.<sup>2</sup> Accordingly in 1705 Queen Anne sent Mr. Whitworth to assure the Czar of her desire for a nearer alliance for the mutual benefit of their trade; and Peter, fully aware, as we have seen, of the advantages which Russia enjoyed in that trade, responded in 1707 with a serious proposal for a political as well as a commercial alliance.<sup>3</sup>

But the great struggle which heralded what has been called the most important events of the eighteenth century had now begun. Russia was disputing for those provinces on the Baltic the possession of which had, since 1660, given to Sweden an assured supremacy, and Peter's proposal of an alliance with England was, in effect, to call upon the English Government to decide what part they would take in this great Northern war, whether they would remain faithful to the defensive alliance which had existed between England and Sweden since 1700, or would side with the giant force which seemed about to destroy their ally.

The possessions of Sweden in the Empire had been assured to her by the Treaty of Travendahl,<sup>4</sup> and to this treaty England had given a guarantee. In vain, however, during the reign of Anne did the Swedish ambassador in London appeal with insistence for help from England to restrain,

<sup>1</sup> See Seymour's *London*, ii. 426. See also Whitworth's *Memorial* of June 7, 1707 (R. O. *Russia*, vol. viii.)

<sup>2</sup> See a pamphlet entitled *Portrait du Czar*, 1707, B. Museum.

<sup>3</sup> See Whitworth's despatches for 1704-1706, 1707-1708 (R. O. *Russia*, vols. vii. and viii.)

<sup>4</sup> 1700 (see R. O. *Sweden*, vol. xxxii. See also Koch, xiii. 162 *et seq.* for the alliance concluded by William III. with Sweden, which was renewed in 1700).

while yet there was time, the ambition of Russia. In vain Charles XII. himself wrote from his refuge at Bender<sup>1</sup> demanding that the conditions of that treaty should be enforced. At least, it was urged, a squadron might be sent to the Baltic, if troops could not be spared from the southern war. 'It was not possible that Anne could allow her mind to be influenced by the sordid interests of trade; the protectress of the Protestant religion could not fail to support the Protestant power of the north. Time was infinitely precious.' Till the very last month of Anne's reign both Charles and his ambassador, Gyllenberg, were constant and clamorous for help.

On the other hand the Russian ambassador, Matveef, was pressing for the Czar's admittance into the Grand Alliance against Louis XIV., and had been allowed to remain for long and weary months in London without an answer, and with nothing better to do than to get into debt and to address letters of remonstrance to the English Government at the extraordinary license permitted in England to the public journals, which ventured to make open comments on the Swedish war and on the victories of Charles XII. derogatory, he considered, to the dignity of the Emperor his master.<sup>2</sup>

The ambassador had been ordered to obtain the support of the English Government in these wars, and to convince the English people how much it would be to their advantage that the Baltic ports should be in the hands of a power willing to remit half the fees which the Swedes had exacted, and how much the English merchants would profit if they were admitted to other ports besides that of Archangel, which was constantly inaccessible during the winter months. The Czar asked only in return for these privileges that England should mediate in the war he was then waging with Turkey, and further that Anne should not recognise Stanislas

<sup>1</sup> May 15, 1713. See for all this Gyllenberg's *Correspondence, 1710-1714* (R. O. *Sweden*, vols. xxii. and xxxii.)

<sup>2</sup> R. O. *Russia*, vol. xvi. February 1708.

Leczinsky as King of Poland, since, as he was elected by force of Swedish arms, he was likely to prove a bad neighbour to Russia, who had espoused the cause of the House of Saxony in Poland. He points out further that he was claiming only from Sweden his own hereditary provinces of Ingria and Carelia, with the town of Narva, and that Revel and Esthonia, which he also claimed, were but a fair compensation for their retention.<sup>1</sup>

England, however, was not to intervene in the Northern quarrel during the reign of Anne. To the bitter indignation of Charles she offered only in 1711 her mediation in favour of a cessation of arms, which, now that Pultawa had been fought, would be useful only to the enemies of Sweden. The English Government was in truth alarmed at the ambition of both monarchs,<sup>2</sup> and was besides too much exhausted by the struggle with France, and too much occupied with the dynastic question at home, to be in the condition to interfere in their quarrel. Thus the last monarch of the Stuart line died without either making good the English guarantee to Sweden, or yielding to the persuasions of Peter the Great.

In this as in many other matters the House of Brunswick was to inaugurate a new policy. During the greater part of the eighteenth century the monarchs of that House were to look upon the friendship of Russia as a most desirable part of their 'northern system,' and while they hesitated for a time to conclude a definite alliance with her, lest they should be called upon to guarantee possessions too distant and too indefinitely known to be protected,<sup>3</sup> they yet *in the main* preferred her friendship to that of any other power of the north, and were alienated from her only by the conflicting

<sup>1</sup> Ingria and Carelia had been conquered from the Czar Michael Romanoff by Gustavus Adolphus in 1617. Narva also had first belonged to Russia in 1555.

<sup>2</sup> St. John to D'Alais, December 29, 1710 (R. O. *Regencies*, vol. ix.)

<sup>3</sup> See Harrington's *Despatches*, August 1733 and 1734 (*ibid.* *Russia*, vols. xxiii. and xxvi.), and 'Secret instructions to Forbes,' April 1733 (*ibid.* vol. xxiii.)

interests which the Hanoverian system of George I. bequeathed to his successors.

'It was England,' as has been truly said,<sup>1</sup> 'who was the first to think of bringing into the balance of Europe the weight of the Russian Power,' and it is not a little remarkable to find that here, as almost everywhere else, her policy was from the first opposed to that of France. M. Rambaud has pointed out<sup>2</sup> that in the relationships of France and Russia during the first half of the eighteenth century two periods may be distinguished, that in which the two countries, though not directly hostile, were in indirect conflict in the cause of their allies, and that period between 1726 and 1756 when they became declared foes. During the first quarter of the eighteenth century, indeed, France neither desired the friendship of Russia nor feared her hostility. Of all the European nations she was the last to recognise her as an element to be reckoned with in European politics, or to be aware of all that was involved in the sudden awakening of the gigantic power which had so long slumbered amidst her snows. She was convinced, indeed, that the show of life was momentary, and that skilful diplomacy might lull Muscovy once more to sleep and inaction. Scarcely any commerce had existed between the two nations, because the French had no navigation in the Arctic Ocean, and the Russians no port in Livonia,<sup>3</sup> and it had been possible for the Court of Louis XIII. to declare that they had never heard of Muscovy.<sup>4</sup> The early Russian Embassies to France, though they had a barbaric and oriental splendour, had scarcely so much weight in her counsels as an Embassy from China might possess in the present day. So little was known of the monarchs who sent them that Louis XIV. continued to correspond with the Czar Michael Fedorovitch twelve years after his death. On one occasion<sup>5</sup> the French king received a Russian envoy seated

<sup>1</sup> See *La Cour de Russie il y a Cent Ans*, p. 105.

<sup>2</sup> *Recueil des Instructions données aux Ambassadeurs : Russie*, i. v et seq.

<sup>3</sup> Flassan, *Histoire de la Diplomatie Française*, ii. 425.

<sup>4</sup> *Recueil des Instructions données aux Ambassadeurs : Russie*, i. 20.

<sup>5</sup> In 1681.



upon a silver throne, with hangings of green embroidered with gold, and dazzled him with the splendour of sparkling candelabra and gilded mirrors, so that the Russian exclaimed that only Solomon and Louis XIV. had ever appeared on earth with so much glory. But though magnificent presents of furs and tapestry were exchanged no serious results followed. During the years of his prosperity Louis XIV. showed no inclination to ally himself with Russia, or to send a Resident Minister to Moscow.<sup>1</sup> Not only did the commercial interests of France lie in other lands, but sources of political discord had very early arisen between the two countries in Poland, Turkey, and Sweden, which formed what was called the eastern barrier of France against the encroachments of Austria. It was to the interest of Russia that these Powers should hold their existence at her discretion. It was to the interest of France that they should be strong enough to withstand the aggressions of their neighbours.

Of these three allies Sweden was that to whom France was bound by the closest ties, because it was she who had been the most formidable rival to Austria in the Empire.

The attitude of France, therefore, in the great Northern struggle was a foregone conclusion, and although in the last disastrous years of Louis XIV. it was not possible for France to interfere actively in the war, the ancient friendship between France and Sweden was cemented by subsidies and by a fresh treaty in the year 1715.<sup>2</sup>

Meantime the future policy of Great Britain had, to all appearance, been decided in favour of that alliance which, according to Bestucheff, was so ardently desired by Peter the Great.

The Elector of Hanover had long vacillated as to the part which he would take in the Northern quarrel. In 1704 he concluded a treaty with Charles XII., and guaranteed to Charles' brother-in-law, the Duke of Holstein-Gottorp, the

<sup>1</sup> Flissan, *Histoire*, &c. ii. 446, 461 *et seq.*

<sup>2</sup> Koch, xiii. 253. See also *Recueil des Instructions données aux Ambassadeurs : Russie*, i. 136.

Duchies of Schleswig-Holstein from the attacks of Denmark.<sup>1</sup> But when the King of Sweden called upon him to fulfil the conditions of that treaty, and further to allow his troops to pass through Hanover into his province of Pomerania, the Elector began to feel the inconvenience of an ally whose movements were so destructive of tranquillity in the Empire, and a quarrel having arisen between the two princes as to their priority in the Diet of the Circle of Lower Saxony, George, in conjunction with the Emperor, the States-General, Denmark and Poland concluded, in 1710, an alliance with the Czar, the main object of which was the neutrality of the Empire.<sup>2</sup> On the part of the Elector the alliance was declared to be merely one of general amity. Yet it was, in fact, decisive as to his Northern policy, and was recognised as such by the King of Sweden, who bitterly resented his desertion at a moment when Pultawa had reduced him to the utmost straits.

On his accession to the throne of England George declared himself still more decisively in favour of the conquering power. In May 1715 he concluded with the King of Denmark a treaty by which he obtained the Duchies of Bremen and Verden on the condition that he should make war upon Sweden, already prostrate beneath the heel of Russia. He was, besides, to guarantee—in direct opposition to his previous policy—the possession of Schleswig to Denmark.

The Duchy of Schleswig was claimed by Sweden on behalf of the Duke of Holstein-Gottorp, who had married Hedwig, the sister of Charles XII., and had espoused the cause of his brother-in-law in the Northern war. In that war the King of Denmark had seized upon Schleswig, having claimed always, as the representative of the elder branch of the House of Holstein, the suzerainty of the Duchy,<sup>3</sup> and thus the Elector of Hanover's guarantee to Denmark was to

<sup>1</sup> Koch, xiii. 152 ; Dumont, vii. pt. ii. 366.

<sup>2</sup> Koch, xiii. 257. See also letters from D'Alais, June 17 and August 1, 1710 (R. O. *Regencies*, vol. vi.)

<sup>3</sup> Koch, xii. 246.

be the occasion of bitter disputes with the King of Sweden, in the future also between the Courts of England and Russia.

A quarrel with Russia, however, was by no means then in contemplation.

In October 1715 the King of England renewed at Greifswalde his treaty with the Czar upon a definite footing.<sup>1</sup> By the fourth article of this treaty George I. promised to do all in his power not only as Elector but as King of England to ensure to the Czar his Swedish conquests, while the Czar on his side agreed to guarantee the Protestant succession in England and to use his influence with Denmark to secure to Hanover the undisturbed possession of the Duchies of Bremen and Verden.

The existence of this treaty has not been generally recognised, because, according to Koch, it was not made public. But that it was actually signed is proved by memorials addressed to George I. by Wesseloffsky, December 14, 1719, and by Bestucheff<sup>2</sup> on October 17, 1720, on behalf of the Czar, in which these significant articles are enumerated, while George's reply to the former in a memorial signed by Stanhope on February 11, 1720,<sup>3</sup> implicitly acknowledges the existence of the treaty by pointing out that it is not the King of England who has broken its conditions. He brings forward in his own defence against the Czar's accusations *not* that the articles were not agreed upon, but that the Czar had himself ignored them.

It seems evident that no sooner had the treaty been signed than George became aware that if the interests of his Electorate were to be considered he had made a mistake in choosing Russia as his Northern ally; for in September 1716 there was every appearance that the troops of the Czar, which George had been willing enough to see employed

<sup>1</sup> Koch, xiii. 257.

<sup>2</sup> Michael Petrovitch Bestucheff (1686-1760), brother to Alexis, and at that time 'Resident of his Czarish Majesty in London.'

<sup>3</sup> See R. O. *Russia*, vols. xvi. and xviii. See also *Recueil des Instructions: Russie*, i. 184, where Solovief, *Istoria Rossii*, xvii. 35-67, is quoted in confirmation of the existence of this treaty.

against Sweden, were to be quartered in Mecklenburg, and that Peter was threatening interference in Imperial matters by espousing the cause of the Duke of Mecklenburg, who had been suspended from his government for tyranny and maladministration. 'This was to throw Germany into a flame and to give France the best opportunity for embroiling all Europe,'<sup>1</sup> writes Stanhope. It was to admit a hostile force into the very province which the Elector of Hanover was suspected of desiring to add to his own dominions, and where he had already obtained some influence by his appointment to a Protectorial commission. His jealousy and suspicion were heightened by the marriage at the time of the Czar's niece to the Duke of Mecklenburg-Schwerin, which he could not doubt was intended to obtain for the Czar a permanent footing in the Empire.

Peter had doubtless by this invasion broken the conditions of the Treaty of 1710 which had secured the neutrality of the Empire, and it began to be evident that the dismemberment of Sweden, and especially the spoliation of her German provinces in which George himself had had a prominent part, was not to be to the advantage of the Elector of Hanover, and that his effort to rid himself of a rival in the Diet had resulted only in the introduction of another and more powerful rival in the person of the Czar.

Over the question of Mecklenburg, therefore, there was hot contention between the Czar and the Elector—the Czar promising to evacuate the Empire if George would guarantee him his Swedish conquests,<sup>2</sup> while the Elector, by energetic appeals to the Emperor and to some of the minor Courts, succeeded in enforcing the expulsion of the Russian troops without conditions, and by this means earned the undying hatred of the Czar, who found himself foiled in his most cherished scheme for establishing his influence in European politics.

<sup>1</sup> Stanhope to Townshend, September 25 and 29, 1716 (R. O. *Regencies*, vol. viii.)

<sup>2</sup> Reply addressed to Russian ministers in Hanover, October 26, 1716 (R. O. *Russia*, vol. ix.)

It was, therefore, to no purpose that when once Mecklenburg was evacuated, George was ready to renew negotiations as to the proposed treaty of defensive alliance and commerce with Russia.<sup>1</sup> Her assistance, indeed, seemed a necessity in the war which the resentment of Charles XII. was about to force upon England, but the English Government was determined to refuse the guarantee of Peter's Swedish conquests, which was insisted upon as a condition;<sup>2</sup> and it was soon evident that Peter was not playing an open part in the negotiations,<sup>3</sup> and that he had no longer any inclination for an alliance with the King of England.

It appears, indeed, from Stanhope's memorial<sup>4</sup> that the Czar was already implicated in Jacobite plots; that the Duke of Ormond, though not admitted into Russia, was at Mittau, within reach of negotiation; that Hugh Paterson, brother-in-law to the Earl of Mar, had interviews with the Russian ministers at the Hague; and that Erskine, Peter's Scotch physician, was the medium of communication between all sorts of Jacobite emissaries.

The reconciliation of Peter with Charles XII., and his alleged complicity with the designs of Alberoni and of Goertz and Gyllenberg, by which Scotland was to be invaded and James III. restored to the throne of Great Britain, are well known. But the influence of the Mecklenburg quarrel in bringing about the momentous change in the foreign policy of England, which marked the beginning of the year 1717, is perhaps only to be accurately traced in the correspondence of Stanhope, who accompanied George I. in his visit to Hanover in 1716.<sup>5</sup> From this it is evident that the

<sup>1</sup> Instructions to Norris, July 2, 1717 (*British Museum Add. MSS.* 28155).

<sup>2</sup> Koch, xiii. 265. See also *Memorial*, October 26, 1716 (*R. O. Russia*, vol. ix.)

<sup>3</sup> Sunderland to Admiral Norris, August 9, 1717. See also Instructions to Norris, July 2, 1717 (*British Museum Add. MSS.* 28154 and 28155).

<sup>4</sup> *R. O. Russia*, vol. ix. Memorial signed by Stanhope, February 22, 1720.

<sup>5</sup> *R. O. Regencies*, vol. viii. Stanhope to Townshend, October 26, November 11, 1716. Stanhope to Methuen, September 25, 1716. Stanhope to Norris, October 6, October 26, 1716.

invasion of Mecklenburg was the signal for immediately pressing forward the negotiations with France, which were to lead to the conclusion, in January 1717, of the Triple Alliance. 'The condition of affairs in the North,' Stanhope writes in 1716, 'makes the treaty with France imperative.' The threatened rupture with Muscovy, the fears of a Swedish attempt in favour of the Pretender, made it essential that France should be bound over to keep the peace—the more so that there were rumours that the Czar and the King of Prussia were uniting in new schemes of spoliation by which Holstein should be secured to Denmark, Livonia to the Czar, and Pomerania to Prussia; and to this treaty France was pressed to accede.

In effect Peter, having quarrelled with England, was now anxious to ally himself with France, in order to separate her from Sweden, and if possible to divert to himself the subsidies which had hitherto enabled Sweden to make some head against her foes. The bait which he offered to the French Government when, in March 1717, he made his second journey westward, was a confederation between Russia, Prussia, and France, which he represented as infinitely more effectual against the power of Austria than an alliance with 'an England distracted by factions and civil war,' and with a weakened and dismembered Sweden.<sup>1</sup>

France had already shown some signs of a change in her Northern system by her guarantee of the Swedish province of Stettin to Prussia in the previous year,<sup>2</sup> and it was essential to her that Russia should not side with Austria.<sup>3</sup> Nevertheless her distrust of Russia was already so strong that it was more by the perseverance of the Czar than by any corresponding eagerness on the part of the French Government that a treaty was signed between them at Amsterdam in May 1717. By this it was stipulated that France should cease to provide Sweden with either arms or money so soon as the present

<sup>1</sup> Flassan, iv. 449.

<sup>2</sup> *Recueil des Instructions données aux Ambassadeurs: Russie*, i. 175 (September 14, 1716).

<sup>3</sup> *Ibid.* i. 178.

alliance between them should expire.<sup>1</sup> Thus Russia was enabled with more security to conclude with Sweden that treaty of Nystad which, in 1721, gave her the assured predominance of the North.

The French Government had, however, made it evident throughout the negotiations that they had no intention of allowing their newly made friendship with England to be shaken by a Russian alliance, and that their main object was to procure favourable terms for Sweden. It was not to be expected that the Treaty of Amsterdam should have any permanent effect upon the relations between France and Russia, although for the first time a resident French ambassador was established at St. Petersburg,<sup>2</sup> for the French Government was not convinced that Sweden was finally destroyed, or that the friendship of Russia was of any importance to France so long as she had a northern alliance of sufficient force to overawe the Emperor, and this they believed to have found in the rising power of Prussia, as well as in their ancient alliances with Poland and Sweden. The commercial interests of France were too closely allied with those of Sweden and Turkey, her growing jealousy of Russia was too great to make an alliance between them natural or permanent. Soon their alienation was accentuated by the refusal of the Regent Duke of Bourbon to respond to the advances of Catherine I., who proposed to unite the Royal Houses of Russia and France by a marriage between the infant Louis XV. and her daughter Elizabeth,<sup>3</sup> and the refusal was made the more mortifying by the marriage that was finally concluded for the young King with the daughter of that same Stanislas Leczinsky whom Peter had driven from the throne of Poland.

Nor had the treaty been more effectual in the matter of commerce. M. de Tessé, who conducted the negotiations,

<sup>1</sup> Koch, xiii. 268; Flassan, iv. 446 *et seq.*; *Recueil des Instructions données, &c.*: *Russie*, i. 189-190.

<sup>2</sup> M. de Campredon was despatched in 1721. See *Recueil des Instructions, &c.*: *Russie*, i. 198.

<sup>3</sup> *Ibid.* i. 254-261.

had been instructed to point out that the French Government were in complete ignorance as to the quality of merchandise which would suit the Russian trade, or of what might be brought from Russia, and that they knew nothing of the laws and privileges which existed in Russia in favour of foreign merchants.<sup>1</sup> No formal treaty of commerce was in fact, concluded between the two powers until 1787,<sup>2</sup> and it was the lack of this bond of union, no less than the divergence of their political interests, which made it possible for one of the first of French statesmen, so late as 1759, to write 'that Russia and France have no interests in common and no reciprocity in advantages, so that in no case can there be any real alliance between them.'<sup>3</sup>

Meantime all present danger to the House of Hanover from the union of Russia and Sweden was averted by the death, in 1718, of the King of Sweden. His sister and successor, Ulrica Eleanor, hesitated for a moment between the Russian and English alliance, but failing to get any promise of restitution from the Russian Court she concluded, in 1720, the Treaty of Stockholm with England.<sup>4</sup>

The treaty was the death-blow to any hope of reconciliation between England and Russia, and was the signal for vehement remonstrances from the Czar, who pointed out that the treaty of Greifswalde had been shamefully broken, that Bremen and Verden had been given to Sweden by the Treaty of Westphalia, to which England had given a guarantee and that they never would have been conquered but for Peter's own victories. 'To abandon one's allies,' he writes, with some forgetfulness of his own infidelities, 'to enter into league with the enemy against an ally to whom one has been for many years bound in a constant friendship, is a thing inexcusable before God and man.'<sup>5</sup>

<sup>1</sup> *Mémoire secret pour M. de Tessé*, May 18, 1717. See Flassan, iv. 454.

<sup>2</sup> See *La Balance de Commerce*, par M. Arnould.

<sup>3</sup> *Mémoire* from Vienna, by the Duc de Choiseul-Praslin. See Flassan, vi. 219.

<sup>4</sup> Koch, xiii. 290.

<sup>5</sup> Bestucheff's Memorial, October 17, 1720 (R. O. *Russia*, vol. xviii.)



George was unable to deny the existence of the Treaty of Greifswalde,<sup>1</sup> although he denied that he had ever entered into any formal engagement with the Czar as *King of England*. But he had become aware that his true policy was to preserve the equilibrium of the North, and that however convenient it might be to the Elector of Hanover to round off his dominions with the conquered provinces of Sweden, yet it was not to his interest, either as Elector or as king, to permit her total annihilation. Since the Czar was endangering the safety of Hanover by his attempts to get a foothold in the Empire, and the stability of the Hanoverian succession by his Jacobite intrigues, it was become convenient to George to remember that an ancient alliance had existed between England and Sweden, and that the balance of power would be threatened by her complete dismemberment.

Already a powerful British fleet had been despatched to the Baltic, with secret instructions to Admiral Norris, under Carteret's hand, 'if necessary to destroy that fleet which would disturb the world ;'<sup>2</sup> and its presence, while it contributed to hasten the peace between Sweden and Russia, served to embitter the displeasure of the Czar 'at the insolent interposition of Great Britain !'

Thus Mecklenburg had been evacuated, but with the result, as Bestucheff expressly states,<sup>3</sup> of the enduring enmity of Peter the Great. And Bremen and Verden had been acquired, but at the cost not only of a heavy subsidy to Denmark and the loss, as the Anti-Hanoverian party declared,<sup>4</sup> of much of our Russian trade, but at the price also of that guarantee of Schleswig to Denmark which had been so bitterly resented by Charles XII. The developments of Russian policy in Sweden were now to make this same

<sup>1</sup> See Memorial signed by Stanhope, February 22, 1720.

<sup>2</sup> Lord Carteret to Sir John Norris, 1719 (see MSS. of Earl St. Germans, *Historical MSS. Comm. Report ii.*)

<sup>3</sup> 'Système de Bestucheff.' (See p. 2, *note.*)

<sup>4</sup> See *The British Nation Vindicated*, by Anti-Hanoverian (1744, B. Museum).

guarantee the means of perpetuating the hostility between Russia and England.

The year after Peter the Great had solemnly undertaken by the Treaty of Nystad not to interfere in the domestic affairs of Sweden, he addressed to the Senate of that country a demand that Charles Frederic, Duke of Holstein-Gottorp, should be recognised as Prince Successor to the Swedish throne if Ulrica and her husband, the Landgrave of Hesse-Cassel,<sup>1</sup> to whom she had yielded her right to reign, should die childless.

The Duke was the son of Hedwig, the elder sister of Charles XII., who had been excluded in favour of Ulrica, the younger sister, a more yielding sovereign, to whom the Senate had been able to dictate terms which made the succession elective and increased the authority of the Senate to such a degree as to make it inconsistent either with a monarchy or even a free republic.<sup>2</sup>

Charles XII. had destined the crown to descend to the son of his elder sister, for her husband, Frederic IV., Duke of Holstein-Gottorp, had fought in his armics and had lost Schleswig in his cause. His son, doubly unfortunate, was now to lose Sweden also, unless help might be had from the Czar. Peter, of course, was ready enough for a pretext to impose upon the Swedes a king of his own choosing. He took up the young Duke's cause with ardour, betrothed him to his daughter Anne, and threatened Denmark with invasion in support of his claims upon Schleswig.<sup>3</sup> His successor, Catherine I., defended the cause of her son-in-law with even greater warmth, and when in 1726 England was anxious to renew friendly relations with Russia, the great obstacle to a treaty between them was the refusal of England to guarantee that Schleswig should be restored to the Duke of Holstein, on the plea that she had already guaranteed it

<sup>1</sup> Koch, xiii. 315. See also *Recueil des Instructions, &c. : Suède*, p. 304 *et seq.*

<sup>2</sup> *Annual Register for 1772*, p. 50.

<sup>3</sup> Koch, xiii. 315 *et seq.*

to Denmark.<sup>1</sup> This was sufficient to put an end to the negotiations, and even to threaten war between the two countries, for when Catherine sent a fleet against Denmark to enforce the surrender of the disputed Duchy Denmark appealed to England for her stipulated help, and once more a British fleet was despatched to the Baltic 'to maintain the peace of the North.'<sup>2</sup>

The anger of the Czarina on this occasion drove her in 1726 to accede to the Treaty of Vienna with the Emperor Charles VI., an alliance which, renewed at intervals during the greater part of the eighteenth century, was to have a decisive effect upon the whole policy of Russia during that period.<sup>3</sup> By this treaty the Emperor had consented to give what France and England had refused, and in return for the Russian guarantee of the Pragmatic Sanction had promised a somewhat indefinite support of the claims of the Duke of Holstein-Gottorp.

Thus the insignificant Duchies of Schleswig-Holstein, which had already embroiled Sweden with Denmark and with England, were now become involved with the policy of Russia, and the more closely that there was born to the Duke of Holstein at Kiel, in 1728, a puny boy, who in the near future was to become the only male representative of the family of Peter the Great, and to reign over Russia as the unfortunate Peter III.

Henceforth the manifold complexities of the Schleswig-Holstein question, both in Sweden and Russia, were to be mingled with the negotiations of almost every Northern treaty, and to influence almost every Russian alliance, until they were finally solved, so far as Russia was concerned, by the diplomacy of Catherine II.

Meantime it was inevitable, since George I. had quarrelled with the Czar, that it should become an object with the party

<sup>1</sup> See Russian Memorial touching a treaty between England, France, and Russia, February 25, 1726 (R. O. *Russia*, vol. xviii.), and Walpole to Townshend, September 24 and November 2, 1725 (Newcastle Correspondence, British Museum).

<sup>2</sup> Koch, xiii. 317, 318.

<sup>3</sup> *Recueil des Instructions, &c. : Russie*, i. 261.

who aimed at the restoration of the Stuarts to prolong an hostility which might be instrumental in the destruction of the House of Hanover. Thus the fortunes of the Duke of Holstein were for a time curiously mingled with those of the exiled Stuarts, for both were pretenders to thrones to which they had an hereditary claim, both were petitioning for the support of foreign powers in the hope of restitution, and both were opposed in the object of their hopes by the Elector of Hanover.

Peter the Great had strenuously denied his complicity with Jacobite plots.<sup>1</sup> Yet it is certain that the Jacobites had a strong following in Russia, that they were in constant communication with the Holstein party both in Sweden and Russia, and that these intrigues were not without influence upon the Russian Court.

In the year of Peter's death, when an English envoy<sup>2</sup> was sent secretly to Russia to sound the intentions of his successor towards England, he found the Jacobites there in such force that their machinations were sufficient to put an end to his appointment as Consul, and he reports that the whole of the English factories were disaffected and debauched by the number of English Jacobite gentlemen who were received with open arms by the Russian Court, and, having nothing better to do, consorted and drank with the English merchants, to the great detriment of their business and their morals. He reported also that their boasting and self-confidence tended to shake the belief of the Russian Government in the stability of the Hanoverian succession, and that Hay, a Jacobite emissary from Spain, was then in Russia, employed in buying up ships which were to be paid for by Spain and the Pope.

These rebellious subjects of King George, who had, as it appeared, never taken the oath of allegiance to him, had been

<sup>1</sup> See Memorials signed by Wesseloffsky, March 23, 1717 (R. O. *Russia*, vol. ix.) and of December 14, 1719. *Ibid.*, vol. x.

<sup>2</sup> See Captain Dean's account of affairs in Russia in June and July 1725, addressed to Townshend (R. O. *Russia*, vol. xviii.)

expressly exempted from all disagreeable effects of the quarrel between the King of England and the Czar, because, as Peter says in a manifesto issued in 1721, 'in that whole affair, not the interests of England, but those of Hanover, were alone consulted.'

Peter's successor was the more ready to show favour to the Jacobites that she saw in the King of England not only the enemy of her husband, but the opponent to the rights of her son-in-law and the friend to that power who was depriving him of his patrimony. The Treaty of Vienna, which was the result of that quarrel, was indeed looked upon, both by the Duke of Holstein and the English Pretender, as concluded in their interests and with the object of their restoration. The two princes were said to be fast friends, and Catherine was suspected of supplying the English prince with a subsidy. Her envoys at foreign Courts lived on terms of friendship with Jacobite emissaries. From Madrid Stanhope writes that the Duke of Ormond was constantly in the company of the Muscovite Minister.<sup>1</sup> From Paris Horace Walpole reports<sup>2</sup> that though Prince Kurakin directly denied that any plot was on foot between the Czarina and the Jacobites, yet he lived still on the friendliest terms with them, and that Campredon, the French ambassador at Moscow, was without doubt the medium of communication between the Jacobites of Paris and those of St. Petersburg.

This was to be the condition of affairs until 1730, when the Czarina Anne Ivanovna ascended the throne, chosen and supported by a party whose object it was to exclude the House of Holstein from the throne of Russia, lest they should be drawn into a war with Denmark.<sup>3</sup> By the Treaty of

<sup>1</sup> See Newcastle Correspondence, Walpole to Townshend, October 17 and November 1, 1725. Stanhope to Townshend, November 6 and December 5, 1725; and an intercepted Jacobite letter, October 19, 1726. See also anonymous letters to Horace Walpole, April 3 and May 4, 1726 (*Add. MSS.* 32745, B. Museum).

<sup>2</sup> Walpole to Townshend, November 4, 1725 (Newcastle Correspondence).

<sup>3</sup> Koch, xiii. 321. Koch quotes from Rousset, 'Supplement,' vol. iii. pt. ii. p. 334.

Copenhagen between Russia and Denmark in 1732 a million of rix-dollars was offered to the Duke of Holstein provided that he would yield to Denmark his claim to Schleswig, and when this was refused by the Duke, who could not forget that his son Peter might yet reign in Russia, Anne declared herself freed from any responsibility towards him,<sup>1</sup> and chose as her successor to the throne of Russia her nephew Ivan of Brunswick.

With the hopes of the House of Holstein fell also any hopes that the exiled Stuarts might have founded upon Russian sympathy and Russian subsidies, and with them also ceased any further cause of enmity between the Courts of London and St. Petersburg.

When, therefore, the alliance between France and England, already shaken by national jealousies and colonial disputes, was broken in 1731 by the accession of England to the Treaty of Vienna, a fundamental change was to be produced in the policy of England towards Russia.

The friendship with France had been the result of the quarrel with Peter the Great. That alliance at an end, George II. turned at once to Russia as to a natural ally. In her English ministers saw a nation whose interests were opposed at every turn to those of France. The Russian alliance with Austria by the Treaty of Vienna in 1726 had been the signal for the French Ambassador to quit St. Petersburg,<sup>2</sup> and for thirteen years France had no regular diplomatic representative at the Russian Court. In every northern State with which France was allied her interests had been at variance with those of Russia, and her allies had been weakened and humiliated. It was Russia which had driven Sweden back to her peninsula, and Turkey from her strongholds upon the Black Sea. In the war of the Polish succession the smouldering enmity between them burst at last into a flame.<sup>3</sup>

<sup>1</sup> Koch, xiii. 322.

<sup>2</sup> *Recueil des Instructions, &c. : Russie*, i. 261

<sup>3</sup> *Ibid.* i. 274 et seq.

In 1733 Stanislas Leckzinsky, though elected to the throne of Poland by the Diet through French influence, was driven from his kingdom by an invading army of Russians, and took refuge in Danzig. Here he was besieged by a Russian army under Marshal Münnich, and only escaped capture by disguising himself as a peasant. The French troops which came to his succour were forced to capitulate, and that capitulation was immediately violated under the pretence that a Russian frigate had been seized by the French without declaration of war.<sup>1</sup> M. de Monti, the French ambassador, who in his official capacity was in attendance upon Stanislas, was, with his secretary, taken prisoner by the Russians and in spite of repeated negotiations on the part of the French Court did not recover his liberty till 1735, suffering, it was said, many hardships during his captivity.<sup>2</sup>

This incident was long to embitter the relations already sufficiently strained between the two Courts. The French Government, freed in part from the fear of Austria, began to watch with increasing jealousy the growth of Russia and to employ against her the forces of those allies whom she had hitherto endeavoured to combine against Austria. The jealousy of the Porte was skilfully inflamed against the encroachments of her northern neighbour, with the result that the Ukraine was invaded by the Khan of Tartary in 1734,<sup>3</sup> and that between 1738 and 1764 more than fifty millions of livres passed from France into Sweden in the form of subsidies.<sup>4</sup> By this means a defensive alliance was negotiated between Sweden and Turkey, which combined those two powers against their common foe. In Poland all the forces of French diplomacy were employed to bring about the election of a French candidate to the throne, which should supersede the Saxon dynasty supported by Russia. '*C'était toute une coalition*

<sup>1</sup> *Recueil des Instructions, &c.: Russie*, i. 301.

<sup>2</sup> *Ibid.* i. 275 *et seq.*, and R. O. *Russia*, vol. xxvi. Rondeau's despatch of Sept. 7, 1734.

<sup>3</sup> Flassan, *Histoire de la Diplomatie Française*, v. 101.

<sup>4</sup> Koch, xiii. 337.

*que la France tendait à organiser contre la Russie,*'<sup>1</sup> writes M. Rambaud of this period.

Yet while thus in league with her foes France was not unwilling to believe that her hostility was successfully concealed, and that she might persuade Russia of the sincerity of her friendship. Various irregular envoys were consequently despatched from time to time to St. Petersburg, in the hope at one time of obtaining the concurrence of Russia with French policy in Poland, at another of conciliating the Russian Court by a promise to reinstate the Duke of Mecklenburg in his possessions and by the offer of the alliance of France combined with Sweden and Mecklenburg, which should settle the question between Sweden and Russia. In such negotiations it was generally assumed that Bremen and Verden might be conquered from Hanover and used to compensate Sweden for the provinces she had lost.<sup>2</sup>

But the Russian Court under the Czarina Anne was too decidedly German to be tempted by a French alliance, and if the ministers dallied for a moment with these offers it was only to raise the price of their adhesion to Austria.<sup>3</sup>

One envoy, however, to whom much interest is attached, was to pave the way to more friendly relations.

M. Lally<sup>4</sup>—afterwards the Lally Tollendal of French wars in India and the scapegoat of their failures there, but then only an Irish Jacobite refugee, whose father commanded the Irish regiment in France—was strongly possessed by the idea that only by allying France with Russia could the former be so completely dissociated from England as to make her an active supporter of the Pretender's cause, and so the way might be paved for the restoration of the Stuarts. His scheme was so far favoured by Cardinal Fleury that in 1737 he was permitted to try his fortune, and he was sent to

<sup>1</sup> *Recueil des Instructions, &c. : Russie*, i. 375.

<sup>2</sup> Walpole to Townshend, October 24, 1725 (Newcastle Correspondence MS. 32744). See also *Recueil des Instructions, &c. : Russie*, i. 278 and *note*.

<sup>3</sup> *Ibid.* i. 284-300.

<sup>4</sup> *Ibid.* i. 327-338. See also Hamont's *Lally Tollendal*.



Russia by the French Government, but without any official title or instructions. On his first arrival he was imprisoned for two months, but in obedience to an order from the 'Old Pretender' he was befriended by Admiral Gordon and General Lacy, the one a Scotch, the other an Irish Jacobite in the service of Russia, who were able to procure him admission to the Russian Court. He was unsuccessful in the main object of his mission, and on his return was unable to persuade Fleury of the advantages of a Russian alliance. But he had broken the ice by his skilful representations that France, though outwardly hostile, was secretly desirous of Russian friendship, and his advances were so far successful that in 1738 a Russian ambassador was once more sent to Paris, and in the following year M. de la Chétardie was accredited to St. Petersburg.

This change of policy on the part of France was not unmarked by the English Government, who were by this time fully convinced of the necessity of an alliance with Russia, if they were to combat successfully French influence in the north. Advances towards a renewal of friendly relations between the two nations had been made even by George I., who had no sooner received the news of the great Czar's death than he despatched a secret envoy to Russia to seek reconciliation with his successor,<sup>1</sup> and the reports which were then brought back of extensive Jacobite intrigues in Russia had not deterred George II. from renewing the attempt through the medium of Horace Walpole and Poyntz, who in 1730 had an interview with the Russian ambassador in Paris with that object.<sup>2</sup> In the same year the Duke of Newcastle wrote to Rondeau, secretary to Ward, the acting consul and correspondent of the English Government, 'that, since the disputes with Peter I. had been purely personal, it was to be hoped that by the efforts of himself and Ward friendly relations between the two Courts might now be

<sup>1</sup> See Captain Dean's report, June and July 1725 (R. O. *Russia*, vol. xviii. See also p. 18.)

<sup>2</sup> R. O. *Russia*, vol. xx.

re-established.'<sup>1</sup> In 1733 Lord Forbes, the first ambassador since the quarrel, was accredited to St. Petersburg, and by his negotiations a treaty of commerce was concluded in the following year, for which the Russia Company had long been agitating. Some formal agreement had for many years been considered a necessity for the prosperity of British trade, for the Company reported that though more than two-thirds of the whole exported merchandise of Russia was taken by England, yet there now seemed a danger that English coarse cloth, with which hitherto the Russian army had been clothed, was likely to be superseded by Prussian coarse cloth,<sup>2</sup> and that in Persia the Armenians were gradually possessing themselves of the trade, because the Russians were allowing them a more favourable system of transport. By the treaty of 1734 the English trade with Persia was formally permitted, and privileges secured to English merchants which they were not always to retain.

During these early negotiations, however, the tone was always that there could be no object in making a political alliance; all proposals of that kind were to be decisively declined as 'quite unsuitable to such distant dominions.'<sup>3</sup> It was not till a Russian ambassador was once more established at Versailles that the note was changed, and in 1739 Rondeau was appointed Resident, and received instructions to propose a scheme for a defensive alliance.<sup>4</sup>

In these last years of the expiring power of Sir Robert Walpole, old Horace Walpole expresses himself with great force and conviction as to the necessity of this alliance. 'I think all is at stake,' he writes to Trevor. 'The whole power of France, employed jointly with that of Spain against

<sup>1</sup> May 29, 1730 (R. O. *Russia*, vol. xx.)

<sup>2</sup> The reason given is that coarse wool was dear in England, owing to the fact that the importation of coarse wool from Ireland was forbidden, and therefore Prussia could supply the coarse cloth more cheaply than England could (see *Report of Board of Trade*, August 8, 1733, R. O. *Russia*, vol. xxiii., and Fortes's Despatches, *ibid.*, for the treaty of 1734, vols. xxiii-xxvi.)

<sup>3</sup> Harrington to Rondeau, July 26, 1734 (R. O. *Russia*, vol. xxvi.)

<sup>4</sup> *Ibid.* Rondeau to Harrington, January 6, 1739, and February 17, 1739 (*ibid.* vol. xxxii.)

England, without a special Providence, will prevail. Nothing but a diversion on the Continent can save us; but that diversion cannot be had without the Emperor and the States, and the Emperor and the States cannot stir without a supplemental aid of men and money, which cannot be had without Prussia and Russia—and we shall never have the last without the first. . . . The friendship of Russia is absolutely necessary to us.<sup>1</sup>

On this point the pacific Government of Sir Robert Walpole was completely at one with the more active Continental policy of Carteret, who succeeded him. From 1739 it becomes the 'northern system' of England to look upon the yet untried forces of Russia as a possible counterpoise to the preponderance of France, and the efforts of George II. and of Carteret concentrated themselves upon the attempt to conciliate Russia by a common action in the affairs of Sweden.<sup>2</sup> By this means it was hoped that the two powers might be united with England by an alliance of sufficient strength to overawe both France and Prussia, which in 1740 became formidable by the accession of Frederic II.

This policy was in accordance with that 'Hanoverian system' which contributed to make the rule of the first two Georges so unpopular with their English subjects. But it seems certain that such a policy was not solely in the interests of Hanover, or that at any rate in this instance the interests of England and Hanover were identical. Lord Carteret believed,<sup>3</sup> with the majority of the enlightened statesmen of that period, that the peace and prosperity of Europe were only to be assured by the preservation of the 'balance of power,' and that the interests of England in particular demanded that she should support some one power upon the Continent that was strong enough to act as a counterpoise to

<sup>1</sup> October 4, 1740 (see *Report of the Historical MSS. Commission*, xiv. pp. 53, 54).

<sup>2</sup> See Secret Instructions to Tyrawley, December 19, 1743 (*British Museum Add. MSS.* 22528).

<sup>3</sup> See Carteret's speech in favour of England's interposition in the war of the Austrian succession, Belsham's *George II.* ii. 115-127.

France. Austria only was capable of such a task, and Austria was threatened with annihilation at first by France, and soon also by the ambition of the King of Prussia. It was just, therefore, to oppose those powers by every possible means, and this principle, which was the basis of the policy of England during the War of the Austrian Succession, was the basis also of the whole of her policy in the North.

Osterman, the Russian Chancellor, was already so much convinced of the danger to Russia of French influence that he declared to Finch<sup>1</sup> 'that the action of Russia in the matter of the Pragmatic Sanction must depend upon that of France. If that country should withdraw from the guarantee she had so solemnly given to the Emperor Charles VI., then not only Russia but all Europe should combine to maintain it and to save Austria from dismemberment. But the Russian Government had another motive for an English alliance. War with Sweden was once more impending, and with it a domestic revolution which threatened to paralyse their means of defence.

In truth a revolt had become the inevitable accompaniment to the accession of every new sovereign to the throne, since Peter the Great had abolished primogeniture and had conferred upon the sovereigns of Russia the right to choose their successors. After the death of the second Peter in 1730 the direct descendants of the great Czar had been set aside in favour of Anne, daughter of his brother Ivan, with whom he had at first shared the throne. Anne's nephew and successor, Ivan VI., a son of the Duke of Brunswick and a grandson of the Duke of Mecklenburg,<sup>2</sup> was so much a representative of German influences that a national party was soon formed, with the object of restoring Elizabeth, the sole remaining daughter of Peter the Great, to the throne. This party was supported by the intrigues of France, whose object it was to get rid of the German dynasty. The French

<sup>1</sup> Finch's despatch of November 1, 1740. See *La Cour de Russie il y a Cent Ans*, p. 106. This was Edward Finch, brother to the Earl of Winchilsea, ambassador to Russia from February 1740 to February 1742.

<sup>2</sup> See p. 10.

ambassador, La Chétardie, furnished Elizabeth with the necessary funds, whilst the French Government incited the Swedes to declare war against Russia at the moment that her attempt was made upon the throne. This was alarming to the English Government, who believed that by these tactics Elizabeth would be necessarily thrown into the arms of France, and that the whole of the North would be once more in the power of Sweden, who was still entirely dependent upon France.<sup>1</sup>

Fortunately, however, for English interests, the Russian Government felt themselves in some measure dependent upon the English fleet if they were to maintain their power in the Baltic. Finch reports that their army was in a prosperous condition,<sup>2</sup> but that their navy was undermanned, the Russians being curiously averse from serving at sea. The sending of an English fleet to the Baltic, therefore, was made an indispensable condition of an alliance with England, to which there is no doubt Russia was finally impelled by her dread of the intrigues of France in Sweden and Turkey. After long delays a treaty was finally signed in December 1742 by Sir Cyril Wych on the part of England and by Alexis Bestucheff and Bevern on the part of Russia. By this treaty the imperial title claimed by the Czars was acknowledged by Great Britain as belonging of right to the Czarina and her successors, but on the express condition that this involved no change of precedence. A separate and secret article stipulated that Russia was to provide 12,000 troops, and Great Britain twelve men-of-war, if either England or Russia should be attacked by a fresh foe in the war now being waged by the one nation with Spain and by the other with Sweden, and it is clear that in each case the enemy to be feared was France.<sup>3</sup>

<sup>1</sup> Finch's despatch, March 17, 1741 (R. O. *Russia*, vol. xxxvi.)

<sup>2</sup> It was estimated at 108,000 men, besides 9,000 guards, 9,000 regular horse, and 6,000 irregular horse (Finch, June 1741).

<sup>3</sup> See for the negotiations relating to this treaty Finch's despatches from November 1740 to February 1742, and those of Sir Cyril Wych, April to December 1742 (R. O. *Russia*, vols. xxxv-xlii.)

The treaty was an important diplomatic triumph for the King of England. Yet French influence was not immediately destroyed at St. Petersburg. Elizabeth was herself strongly French in her sympathies, and had, she believed, every reason for relying on the friendship of France. Since her accession she had lived on terms of the warmest friendship with the French ambassador. '*Jamais*,' she told La Chétardie, when, at the end of his first mission, he left St. Petersburg in September 1742, '*jamais on n'arrachera la France de mon cœur*.'<sup>1</sup> But reasons of State were soon to overcome her personal predilections. The French Government, it is true, had supported the Revolution, but it was with the object of overthrowing the German dynasty in Russia and with it the Austrian alliance. For this they had persuaded the Swedish Government to convert a defensive alliance which existed between Sweden and Turkey into an actively offensive one, cemented by a Turkish subsidy to Sweden; and for this they themselves concluded an alliance with Denmark, in order to unite her with Sweden in attacking Russia.<sup>2</sup>

In truth France still hoped to preserve the balance of the North by the resuscitation of Sweden. She believed that that nation had more strength than was supposed, and that Russia might yet relapse into her old position as an Asiatic power, without influence in European politics. Her policy, therefore, was to organise a coalition against her which might reduce her to inactivity.<sup>3</sup> '*Vous savez déjà*,' writes Louis XV. a little later, '*que l'objet de ma politique avec la Russie est de l'éloigner autant que possible des affaires de l'Europe*.' It was in pursuance of this policy that M. Amelot wrote to the French ambassador at Constantinople, in January 1742, that the last revolution marked the term of Moscovite greatness, for the Princess Elizabeth intended to

<sup>1</sup> *Recueil des Instructions, &c. : Russie*, i. 376.

<sup>2</sup> March 15, 1742. The King of Denmark had acceded to this treaty, with the idea of realising his own dream of a Scandinavian confederation of all the three kingdoms (see Belsham's *George II.* ii. 136).

<sup>3</sup> *Recueil des Instructions, &c. : Russie*, i. 375.

employ no foreigners in the public offices, and that Russia, left to herself, could not fail to relapse into barbarism. He suggests, therefore, to the Porte to hasten this solution and to get rid of a neighbour that was for ever causing them inconvenience, by concerting with the Swedes that they might together fall upon Russia.<sup>1</sup>

This remarkable prophecy, so unguardedly expressed, was at the root of the whole policy of France in the North, and did not tend to lay the foundations of a friendship between the two powers.

Moreover a minister was now at the head of affairs in Russia who from the first was hostile to French influences. Alexis Bestucheff-Rumin<sup>2</sup> had almost immediately upon the accession of Elizabeth acquired the first influence in her councils, for the Czarina was ignorant of politics and devoted to pleasure, and Bestucheff was an astute and experienced politician. It was the destiny and the opportunity of this statesman to come into power at the moment when the nations of Europe first showed themselves fully aroused to the importance of Russia in the European balance; when France was exercising all the resources of her diplomacy to neutralise the influence of Russia in the Austrian war by a coalition of the Scandinavian nations; when Frederic the Great was eager to ally the hordes of Muscovy with the armies which he had just inherited from his father; when the English Government was inaugurating those negotiations which led to the first political treaty concluded between England and Russia in 1742.

Among these new aspirants for Russian favour Bestucheff's part was soon taken. In the memorial<sup>3</sup> which he addressed to the Czarina Elizabeth in the first year of his Grand Chancellorship he declared definitely in favour of the English alliance, and of an active interference in the cause

<sup>1</sup> *Recueil des Instructions, &c. : Russie*, i. 392.

<sup>2</sup> Alexis Petrovitch Bestucheff-Rumin was born at Moscow in 1693, d. April 1766 (see for a further notice of him *Despatches and Correspondence of John, Second Earl of Buckinghamshire*, p. 8).

<sup>3</sup> See p. 1.

of Austria, with whom Russia had so long been allied. He was, indeed, astute enough to be aware of the real hostility which lurked behind the profuse offers of friendship which the French Court lavished upon Elizabeth, and eventually to persuade her of its dangers. It was clear that France was aiming at the reconciliation of those powers whom it was the chief interest of Russia to separate, and as soon as Elizabeth was aware of this she became herself resentful and suspicious of French intrigues, which were in truth directed as much against her personal interests as against the national policy of Russia. For Elizabeth had, in November 1742, recognised her nephew Peter, Duke of Holstein-Gottorp, as heir to her throne, and was disposed warmly to espouse his cause against the Danish usurpation of Schleswig. She was besides even less inclined than her German predecessors to yield the conquests of her father in Sweden, and therefore resolutely ignored the share which the Swedes claimed in the revolution which brought her to the throne, and upon which they hoped to found a claim to their lost provinces. The war which France had kindled was disastrous to Sweden, who was compelled by the Treaty of Abo to confirm to Russia all that she had lost by the wars of Peter the Great, and to accept Adolf Frederic of Holstein as Prince Successor to their throne.<sup>1</sup> The latter condition was purchased by Russia at the price of her restoration of the provinces which Sweden had lost in the last war, for it was essential to her at all costs to exclude the Crown Prince of Denmark, whose election to the throne of Sweden would have united the Scandinavian powers under one crown. The war was disastrous also to the policy of France, for Denmark, who resented the election to the Swedish throne of a member of that House, with whom she was for ever at variance in the matter of Schleswig, was once more alienated from Sweden, and a confederation of the

<sup>1</sup> Elizabeth had desired to make this a condition of her alliance with George II. in 1742, but the English king, while promising his support of her views, declined to interfere directly in the election, the candidate really preferred by him being Prince Frederic of Hesse (see Carteret to Wych, Nov. 17 *et seq.* 1742, R. O. *Russia*, vol. xlii.)



Scandinavian powers, which in alliance with France might yet have proved a source of danger to the growing power of Russia, was thus rendered impossible, whilst on the other hand the election of the Duke of Holstein to the thrones both of Russia and Sweden ensured the predominance of that House in the North, and threatened Europe with the coalition of the two powers, whose rivalry it had been the object of France to perpetuate.

Moreover M. Amelot's letter had meantime been intercepted and deciphered by the Austrian police, and the intrigues of France had been revealed in their full enormity at St. Petersburg.<sup>1</sup> La Chétardie, conscious of a loss of influence, was recalled at his own request in September 1742, having done his utmost during the whole period of his mission to undermine the influence of Bestucheff. The Chancellor, however, was too powerful and too necessary to Elizabeth to be easily cast aside, and his triumph was marked in December of the same year by the conclusion through his influence of the treaty with England, which was in effect a definite declaration on the part of Russia of her fidelity to the Pragmatic Sanction and of opposition to the policy of France, and this in spite of the personal influence of the French ambassador, who had hoped by means of that influence to keep Russia neutral in the war, and to bring about the fall of Alexis Bestucheff and of the English cause at St. Petersburg.

The triumph of the Chancellor was completed in the summer of 1744 by the indiscretions of La Chétardie, who had been sent back to Russia with instructions to strain every nerve to overthrow a minister so strongly opposed to French interests. The ambassador was still so much personally favoured by Elizabeth that Bestucheff's sole chance of preserving his credit was in destroying that of his adversary. With infinite labour the cypher used by La Chétardie was mastered, and his correspondence read.<sup>2</sup> Elizabeth found that her private life had been spied upon,

<sup>1</sup> *Recueil des Instructions, &c. : Russie*, i. 375 and 391.

<sup>2</sup> *Ibid.* i. 436 *et seq.*

her most intimate confidences revealed to the ministers of hostile powers ; she herself had been ridiculed and accused of ingratitude, indolence, indecision, of low habits and superstitious devotion, by the minister who had enjoyed her warmest personal friendship. La Chétardie was immediately expelled with ignominy, and only the fortunate accident that he had never sent in his credentials on his return to Russia prevented the most serious consequences between the two countries. It was not, however, to the interest of France to take the affair too seriously, for Louis XV. was no less aware than Frederic II. that if the humiliation of Austria was to be accomplished it was imperative that Russia should at least remain neutral. La Chétardie, therefore, was greeted on his return to France with a sentence of exile to his estates, and the French king was ready to accept the assurance of the Czarina that he had been treated as a private individual, and that no aspersion was intended upon the honour and dignity of France.

Another minister even was despatched to Russia. Nevertheless Bestucheff had triumphed, and with his triumph the main object of English diplomacy in the North had been achieved. The influence of France had been destroyed at St. Petersburg.

## THE OLDEST MONUMENT OF RUSSIAN TRAVEL

By C. RAYMOND BEAZLEY, M.A.

*Read December 19, 1899*

THE oldest monument of Russian travel is the journey of the Archimandrite Daniel of Kiev<sup>1</sup> to the Holy Land about A.D. 1106-7. Even earlier than this, we have allusions to Russian pilgrims and pilgrimages. Thus in the life of St. Theodosius of Kiev we are told of the visit of certain unnamed devotees to Palestine in 1022 ; and in 1062 St. Varlaam, head of the Lavra of Kiev, followed in their steps. But no personal record of a Russian traveller in this age (the eleventh century) has yet been found.

Daniel is the earliest Russian author, sacred or secular, who has described a journey from his country to any part of the outer world. More than this, he is not only the earliest, he is by far the greatest, of the mediæval Russian travellers—our best representative, in fields geographical, of the pre-Tartar kingdoms and people of the ‘Rutheni,’ the Eastern Slavs of the land of Rus.

Again, Daniel of Kiev, with Saewulf of Worcester and Sigurd of Norway, is among the chief pilgrim-travellers of the Crusading epoch, and illustrates equally well the development of the eleventh and twelfth centuries in commerce, geographical movement, and political progress, the progress of an age which bound together all Christians in a temporary feeling

<sup>1</sup> Ἁγιομένης, Abbot, Prior or Archimandrite.

of common interest, and a more lasting desire for a richer and higher civilisation.

Once more Abbot Daniel is among the earliest figures in Russian literature of any sort : perhaps we may rank him, in point of time, as only second to Nestor. And even the Father of Russian history (1066-1115) precedes him by a very short interval, and that rather an interval in authorship than in age. The two men were probably born within a few years of one another.

Nearly a century passes before we meet with another Russian traveller whose record has come down to us. Antony, Archbishop of Novgorod, whose journey to Palestine is of about A.D. 1200, represents the famous northern, as Daniel the equally famous southern, centre of mediæval Russian life. The holy city of Kiev, the capital of the Princes on the Dniepr, was Daniel's home ; the great commercial town on Lake Ilmen was Antony's. From these two started almost all the early political and other movements of the Russian peoples.

In Novgorod tradition fixed the origin of the kingdom of Rurik<sup>1</sup> and his Scandinavians, the creators of a new political organism among the Slavs of the North-east. From Novgorod had spread, especially southwards, the development of a power which soon found another centre in Kiev. From Kiev the rising nation of the great Eastern plain struggled to reach the Black Sea, and even to attack the Byzantines. Thus Oleg, Igor, and Sviatoslav, in the tenth century, successively threatened that Eastern Christendom which their descendants were to champion ; Vladimir and Yaroslav, in the eleventh century, carried the mediæval progress of the Russians still further—by civilisation and Christianity even more than by conquest. Under the last two sovereigns—the 'Clovis and Charlemagne,' the Constantine and Justinian, of Russia—the country of Abbot Daniel, though loosely knit in its political organisation, though still a group

<sup>1</sup> C. 860.

of principalities rather than a kingdom, had become a different thing from the purely savage land described by Ibn Fozlan<sup>1</sup> and other Arab explorers. The Russian states could now fairly claim a membership among lands European, Christian, and civilised—in the twelfth century sense of these words. Jury trial, Justices in Assize, and many other features of the higher mediæval society of the West had been also developed on similar lines of their own by the Eastern Slavs. Their religion, their architecture, their ceremonial, their new code of manners and morals, came to them from the court of the Byzantine Cæsars on the Bosphorus.

Daniel travelled in the highest period of old Russian history—before the weakness of his people's organisation had been fully shown. Yet even in his day were latent evils of the most ruinous character; divided sovereignty; the theory and practice of appanages, of family partitions in land and government; distracting jealousies between the various princes, the various town centres, the various social groups; the 'political feudalism' of the great nobles, all equally claimants to descent from Rurik. To all these evils we may find old English analogues; the remedy was much the same in England and in Russia—through the discipline of foreign conquest and through the autocratic centralisation, of the Norman kings in one case, of the Muscovite Tsars in the other.

But this was yet to come. In Daniel's time (*c.* 1106) the Grand Prince Sviatopolk,<sup>2</sup> the disposessor of Vladimir Monomach in his early rights, held a sovereignty at Kiev to which a somewhat grudging allegiance was still paid by all the Russian chieftains. As yet the Eastern horizon was still comparatively untroubled: no Mongols threatened Europe for another century.

Daniel, like the English pilgrim Willibald in the eighth century, represented the new religious civilisation of his people. He was the head—Abbot or Prior, as men would

<sup>1</sup> A. D. 913.

<sup>2</sup> A. D. 1093-1113.

have said in the West—of a monastery whose name and position are unknown. From his references to the river Snov, a tributary of the Desna, and so of the Dniepr, we may conjecture that his home was in the province of Tchernigov. Some have tried to identify him with a certain Daniel who was bishop of Suriev in 1115 and died in 1122 (Sept. 9). In any case he was closely connected with the Mother of Russian cities.

The field covered by our present narrative is wider than that of many western devotees. Had Daniel but recorded the early stages of his journey from Kiev and the Upper Dniepr,<sup>1</sup> this record would perhaps have claims to a place in the first class of mediæval travel records.<sup>2</sup> Even as it is, Daniel gives us some glimpses of his own country, her people, her rulers, and her religion. We must also notice our pilgrim's fulness of detail in his Syrian narrative; his evident good faith; and his care to verify as much as possible by personal experience. He is not without something of the credulity and recklessness of the wonder-seeker; he does not always avoid mistakes of fact; but wherever he journeys in person his record is pretty sound and true. Where he did not go, he usually says so; here only professing to repeat the words of others—a mental reservation not often adopted by the older Latin travellers. He makes no pretence to rhetoric, or to skilful arrangement of his material. 'Forgive me, my fathers, my brethren, and my lords' (so he closes one of his last chapters), 'do not despise the ignorance wherein I have described these holy places, in simple words, without the skill of letters. If I have written without learning, there is here at least no lie; for I described nothing that I did not see with my own eyes.'

Daniel's narrative shows us (if other evidence were lacking) that Palestine was far from settled in the early days of the Latin kingdom. The roads from Jaffa to Jerusalem,

<sup>1</sup> Like Ignatius of Smolensk in the fourteenth century (*c.* 1389), who records his journey along the Don, the Euxine, and Bosphorus.

<sup>2</sup> The class of such as John de Plano Carpini and his successors in missionary and diplomatic travel from Christendom to the Mongol Courts.

from Jerusalem to Jericho, from Bethlehem to Hebron, were constantly endangered by Saracen raiders. The garrison of Ascalon was especially terrible to the neighbourhood of Lydda, the wooded hill-country near Solomon's pools, and the wilderness of Judea. In Central Palestine Scythopolis or Bethshan was almost as great a centre of Moslem hostility. So the ways from the Holy City to the Sea of Galilee, from Mt. Tabor to Nazareth, and from one side of the Lebanon to the other, were all unsafe without an escort. Panthers and wild asses were noticed by Daniel in the plateau land to the west of the Dead Sea ; lions in the jungle of the Jordan valley ; and date palms in the hot lowlands of Jericho and Bethshan.

The Russian pilgrim shows little sectarian feeling. In his pages there is no hostility—only once is a shade of contempt apparent—towards the dominant Latin Church.<sup>1</sup> As to himself, no language expresses sufficiently his own unworthiness. We need not, of course—in his case, as in Bunyan's—take too literally the violent self-accusation of one who declares himself a scandal to the Holy Road, and incapable of good works. It is possible that Daniel was led to undertake his journey by the news of the Latin Conquest of Jerusalem in 1099 ; though we must not forget that a constant stream of Russian pilgrims had for some time been flowing towards Syria. It may have been checked by ill-usage in the last days of the Turkish rule, yet it probably continued to flow throughout the eleventh century ; however, the establishment of the Christian Kingdom must have made pilgrimage an easier matter. Daniel himself declares his own sins to have been the simple and sufficient cause of his act of penitence ; but with unusual breadth of view, he is willing to think that many, without leaving their homes, may by good works have reached the Holy Soil ; while 'sinners there are, of whom I am chief, who by their swelling pride lose all the fruits of pilgrimage.'

<sup>1</sup> 'The Latins began to mumble after their manner' at the Easter Eve service.

Abbot Daniel was apparently entertained at the various Greek or Orthodox Monasteries in Palestine ; and guides were furnished him by the same from time to time. In particular, he seems to have been greatly helped by an old and very stern monk from the Lavra of St. Saba—originally in the celebrated house on the Kedron Gorge, which at this time had migrated to Jerusalem itself.

The traditions of our Russian traveller are naturally those of the Eastern Church ('of the Assyrians,' in the language of some western writers) ; his knowledge of the Bible and the Apocryphal Gospels is a knowledge of the Greek text ; and, of course, he emphasises matters that showed orthodox influence and prestige in the Levant. Thus he speaks of the supreme Greek control of the Holy Sepulchre ; of the superior honour allowed to the Orthodox during some of the eastern ceremonies ; of various matters showing the friendly relations between Greek and Latin Christians in Syria ; and of the deference paid to the former by King Baldwin himself. Fulcher of Chartres, who is our chief western parallel to Daniel at this time, confirms him in nearly all these points ; though bringing out, on his side, details tending to prove the importance, and sometimes the pre-eminence, of the Latins.

Along with many excellencies Daniel has the defects of his class. His fancifulness and inaccuracy are often due to scanty or mischievous book-knowledge, to loose traditions which are found in other pilgrims. Thus he puts Capernaum on the sea-coast near Carmel ; he identifies Lydda with Ramleh ; Cæsarea Philippi with the greater Cæsarea on the coast ; Samaria (his 'Sevastopol') with Nablûs ; Bethshan with Bashan of Og. As to the Sea of Galilee, the rivers that flow into it, and the *town* of Decapolis, he has some strange geography. He is sometimes quite wrong in his allusions to scriptural incidents. His estimates of distance are often extravagant.<sup>1</sup> These and other weaknesses can all be paralleled from the western pilgrim-narra-

<sup>1</sup> *E.g.* twice too great for the Sea of Galilee.



tives ; some of them are perhaps made worse by corruptions of the manuscripts ; and they usually relate to parts of the country which Daniel, at the most, saw from a distance.

The narrative of this journey became very popular in Russian-speaking lands ; 75 copies of it exist, and many more must have been lost, for the oldest manuscript is of 1475, nearly three centuries after the time of Daniel.

The date of the journey may be fixed from internal evidence with fair probability to about A.D. 1106-7. Thus, for one thing, the pilgrim says he travelled in the reign of the Grand Prince, in other words, of Mikhail Sviatopolk Isiaslavovitch, who ruled at Kiev from 1093 to 1113. Again, he met, travelled with, and enjoyed many favours from, King Baldwin of Jerusalem, whose reign covered the years 1100-1118. Thirdly, when he was in the Holy Land, Acre belonged to the Franks. It was taken by them on May 26, 1104 ; so Daniel's visit must have been subsequent to this. Fourthly, he accompanied Baldwin in an expedition against Damascus, which seems to have taken place not earlier than 1106, or later than 1108.

These are the chief marks of time. But it may also be noticed that, in his careful description of the Easter Eve service and the miracle of the Holy Fire, Daniel makes no allusion to any Latin patriarch ; the place usually assigned to the latter is here taken by one of the Frankish bishops. From this we may infer that the Easter Eve ceremonies described by Daniel were those of 1107, when the Latin patriarchate was vacant, Dagobert having left the Holy City in 1103, and Ebremar, his substitute, in 1106.

Beginning at Constantinople, Daniel's outward way was by the northern coast of the Sea of Marmora, past Gallipoli, through the Dardanelles, and so into the Great or Mediterranean Sea. Here Russian pilgrims turned to the right or east for Jerusalem, and to the left or west for the Holy Mountain of Athos and the city of Old Rome. Thence by Chios and Ephesus he came to Patmos and to Rhodes, where the Russian Prince Oleg had spent two summers and winters after his

capture in 1079. From Rhodes to Cyprus, from Cyprus to Jaffa, from Jaffa to Jerusalem, were the next stages of the route ; and from his centre in the Holy City the traveller made three expeditions : first to Jericho, the Jordan, and the Dead Sea ; secondly to Bethlehem, Hebron, and Mamre ; thirdly to Galilee, in the train of Baldwin's army. In Jerusalem, if not elsewhere, he had a companion of his own land, who toiled about with him from one ancient building to another, and whose memory may have helped Daniel to make his account as excellent as it is. This companion was Isdeslav ; and if he was Daniel's chief fellow-traveller, he was not the only one. Four other Russians are mentioned by him as present at the Easter Eve service in the Church of the Holy Sepulchre, with others whose names he does not give.

In visiting the sites of wonder and miracle, Daniel shows a certain reluctance, unusual and praiseworthy, in repeating all the stories of the guides. Thus the 'blood of Zacharias, slain between the temple and the altar,' was a favourite marvel ; but the Russian abbot will not admit that the traces of this blood were any longer visible. 'Formerly they were, but not now.' Again, many had professed to discover the remains of its ancient Temple, but these in truth had utterly disappeared ; only some foundations were left ; and the present church was the work of a Saracen chief named *Amor*.<sup>1</sup> On the other hand, the 'hanging' monastery of Mar Saba in the Kedron Gorge was a marvel which required no abatement— the 'ceilings attached to the rock like stars in the firmament,' the 'dry torrent bed far beneath, shut in between high walls of rock'—'terrifying, austere, and old,' as the anchorite who was here the pilgrim's guide.

Here there is every mark of first-hand description, of personal inspection ; and the same is evident in Daniel's startling and unique comparison of the river Jordan with the Snov of Little Russia ; to the traveller's eye these courses were alike in every detail, in their size and depth, in their

<sup>1</sup> Omar the Caliph. This mention by name of a Moslem historic figure is unusual, but William of Tyre also mentions Omar.

great sheets of stagnant water, in their winding and rapid course, and in their numerous creeks. But no one except a Russian visitor would have given us the parallel.

As he was not able to visit the site of the Cities of the Plain (for the very smell of the place, he was warned, would make him ill), Daniel here repeats the fashionable stories, and adds nothing to our knowledge, while subtracting nothing from the fancy picture of legend. The Sea of Sodom exhaled a burning and foetid breath, which laid waste all the country. It contained no living creature. If the Jordan brought fish into it, they died immediately. A black pitch rose from the bottom ; the vapours of the place were like burning sulphur ; and the torments of hell lay under the waters.

In the same manner, along the course of the Upper Jordan, and at the Lake of Merom, Daniel, apparently kept at a distance by miscreant Saracens, is again merely the fabulist. The Lake of Gennesaret (his *Merom*) was larger than the Sea of Tiberias ; hard by was the great town of Decapolis ; and from Lebanon, lying towards the east, twelve rivers flowed—six eastward, and six southward. The latter poured into the Lake of Gennesaret ; the former flowed towards Great Antioch : and the country enclosed by them was called Mesopotamia, or The Land between the Rivers, wherein Abraham's Haran was to be found.

We return to fact and truth with our pilgrim's account of Mt. Tabor, which he himself ascended with six hours of toilsome labour. This 'marvellous work of God, perfectly isolated, rising in majesty from the middle of the plain like a round haycock formed by art, and of a great circuit withal,' has not often been better described. And the same is true of Jerusalem itself and its neighbourhood, of Hebron and Mamre, of various parts of the Jordan valley, and of many parts of Galilee—wherever Abbot Daniel had not been 'driven, like some others, through want of knowledge to take refuge in lies and fables.' To the company of Baldwin's army, and the guidance of an old hermit of St. Saba, who had passed thirty years in Palestine, the writer owed it that in the out-

lying parts of Judæa and in the north of Palestine he could revisit in safety, 'without fear or trembling,' so many scenes of 'indescribable sanctity,' and 'truthfully and fully' describe them. From the Franks he experienced a uniform hospitality and kindness; in Nazareth even the Latin bishop did not scruple to entertain the Orthodox traveller. The two churches held certain services in common, and Western joined with Eastern Christians in the Kyrie Eleison.

Daniel's itinerary of Palestine properly ends at Nazareth: from this point he retraced his steps to Jerusalem in the company of a large caravan,<sup>1</sup> and by way of Acre, Haifa, Cæsarea, and 'Samaria' or Shechem. The present narrative ends with an elaborate account of the marvel of the Holy Fire; with some words of praise and thanksgiving on the accomplishment of the traveller's hopes; and with a commemoration of the Russian princes and other countrymen of his own whose names he inscribed for the prayers of the faithful at the Lavra of St. Saba.<sup>2</sup>

Daniel's homeward journey was first down to Jaffa; then along the Syrian coast by Arsûf, Cæsarea, Haifa, Tyre and Sidon to Beirût, and finally to Shuediah, the port of Antioch, where he probably embarked for Constantinople. Off the shore of Lycia, near Patara, he was robbed by pirates, but he escaped from all dangers and returned safely to his home. To his own mind, he had 'taken his flight like an eagle,' and 'like a stag had gone boldly forward,' sustained by Divine power, without fatigue and without loitering. But to his own countrymen and to modern students there is another interest in the pilgrimage of Abbot Daniel: for it is an expression

<sup>1</sup> His outward way had been in the train of an army.

<sup>2</sup> Among the companions of Daniel at the Holy Sepulchre were the following natives of Kiev and Novgorod: Iziaslav Ivanovitch, Gorodislav Mikhailovitch, the two Kashkitch, and others. Among the Russian princes commemorated by him in Palestine were Mikhail Sviatopolk, of Kiev, grandson of Yarosláv the Great; Vassili Vladimirovitch; David Sviatoslavitch; Mikhail, Oleg, and Pancrati Sviatoslavitch; and Gleb of Minsk. 'Their names and those of their wives and children and of the Russian bishops, abbots, boyars, and faithful Christian people, I did not fail to commemorate at all the holy places.'



in written form of one of the chief elements of Slavonic life ; it is one of the earliest landmarks in the history of a great people ; and it illustrates the truth that (with races as with individuals) internal progress is constantly associated with external activities, with an irresistible tendency to move out into the world, to travel, to explore, perhaps to colonise and to conquer.



## THE TRIBAL HIDAGE

By W. J. CORBETT, M.A.

*Read April 19, 1900*

THE object of the present paper is to put forward a new theory in explanation of the curious list of old English districts with their hidages, or what purport to be their hidages, which is to be found printed in Birch's *Cartularium Saxonicum* (vol. i., 414), and to which attention has often been drawn, but most recently by Professor Maitland in his 'Domesday Book and Beyond' (p. 506) under the name of the 'Tribal Hidage.'

No less than six versions<sup>1</sup> of this list, all essentially similar, but each with its own variations in detail, are known, the most authoritative version, and the one adopted by Professor Maitland, being that contained in the Harleian MS. 3271. This is written in Anglo-Saxon, and is assigned by Mr. Birch to an eleventh or perhaps a tenth century date, whereas the others are apparently founded on later versions and are given in Latin. In outward form the list is merely a catalogue of 34 place-names, to each of which is assigned a number of hides, the numbers recorded being all multiples of 100, and ranging from 300 to 100,000 hides. In some instances the names of the districts are familiar, as, for instance, Kent or Lindsey, but the great majority cannot be

<sup>1</sup> These have been collated by Mr. Birch. The references are (i) *Harleian MS.* 3271 f. 66. (ii) *Cotton MS.* D II. f. 1b. (iii) *Liber Albus*, ed. Riley. Rolls Series, vol. ii. pt. ii. p. 626. (iv) *MS. Hargrave*, 313 f. 15b. (v) *Spelman, Glossarium*, p. 292. (vi) *Gale, Rer. Angl. Scriptt.* vol. iii. p. 748.

recognised as corresponding with any names known to authentic history. The grand total of the hidages, as given in the Anglo-Saxon version, adds up to 244,100 hides, but none of the three versions of the list, which profess to make the calculation, give the amount correctly, or agree with one another in the totals they record. In one respect the Anglo-Saxon version is peculiar; for, in addition to giving the general total, it adds up the hidages of the first nineteen districts separately, and notes that their total amounts to 66,100 hides.

This brief introductory sketch of the Hidge will be sufficient to show what kind of questions arise with regard to its interpretation. To put it briefly, they are: What is the purport of the list? when and why was it compiled? where are the unknown places to be located? what, if any, is the relation between its hides and the hides recorded in the Domesday Survey? And lastly, though this may seem a minor matter, why did the compilers of the list think it necessary to stop after entering the first 19 districts and state that the total up to this point is 66,100 hides?

In attempting to answer these questions the first point to be observed is one that, up to the present time, seems to have escaped notice, but which in reality is of fundamental importance, if the significance of the Tribal Hidge is to be at all appreciated. It consists in the discovery that, if for the moment we leave out of consideration the 100,000 hides assigned to Wessex, with which the list closes, and also make one small emendation in the hidge figures as given in the Anglo-Saxon version (an emendation, however, which is justified by three of the later versions), the hides of the other 33 districts will be found to form a connected scheme. For it then becomes easy to show that these districts fall naturally into groups with hidages that are all based upon a common factor, while these again in their turn subdivide into smaller groups with hidages that are fractional parts of the totals of the original groups.

The common factor in question is the number 12,000,



a figure which is significant,<sup>1</sup> and whose interest is increased when we observe that the total hidage of these 33 districts, Wessex being excluded, is 144,000, or, to express it in a more telling way,  $12 \times 12,000$  hides.

The emendation that has to be made in the hidage figures before this result can appear, relates to the assessment of the twelfth district in the list. The name of the district is Wigesta, and in the Anglo-Saxon version it is assigned 900 hides ; but the versions contained in the Cottonian MS., the Liber Albus, and the Hargrave MS. all read, instead of 900, 800 hides, the first and last of the three having the number written in full as 'octingenta.' Adopting this reading we at once get rid of the odd 100 hides in the totals 66,100 and 244,100, and are able to see that the list is really a connected scheme as already stated.

The tables printed on page 191, one giving the Tribal Hidage as it is recorded in the oldest or Anglo-Saxon version, and the other the list as it appears when the territorial names are arranged in groups, shows better than any description what is the nature of the scheme, and how, when Wessex is excluded, the remaining items make six main groups with hidages of 30,000, 24,000, 12,000, 12,000, 30,000, and 36,000 hides respectively, all of which are multiples, or quite simple fractions, of 12,000 hides.

The object of giving two parallel tables is to show that this result can be obtained without materially disturbing the order in which the districts are named in the original record, a very important point. For, as will be seen, the only changes made are (1) the removal of the district called Hwinca, with its 7,000 hides, from its position next after the third group to a later point in the list, and (2) a slight rearrangement in the internal order of the second, fourth, and sixth groups. It should be observed, however, that

<sup>1</sup> It will be enough to remind the reader that in nine cases out of thirteen the so called County Hidages are multiples of 1,200 hides (see Maitland, *Domesday Book and Beyond*, p. 456), that the hide itself contains 120 acres, and the pound sterling twice 120 pence,

the first only of these changes is needed to bring out the existence of the six groups. The second has been made for a different purpose, the object being to show that the groups, which are composed of more than one item, can all alike be subdivided into two component parts with hidages that are in the proportion of 7 : 5 to one another ; also that this is not the limit of neat artificial-looking subdivisions, but that the sub-groups of 7,000 and 5,000 hides and their multiples are in many instances themselves divisible into smaller fractional parts with assessments that are all multiples of either 1,000 or 500 hides. Nor does this complete the tale of artificial arrangements that are found to be possible when these figures are systematically scrutinised ; for clearly, if the internal order of the fourth group is left as it stands in the manuscripts, its component items still subdivide into two sub-groups that have hidages that are in the proportion of 1 : 2 to one another.

Using the discovery just made of the artificial character of the Tribal Hidge as our starting-point, we may now approach the problem of identifying the position of the unknown territorial names with some chance of success. For, clearly, the existence of a system of groups within the list gives us a useful clue, implying, as it almost certainly does, that the items that compose any one group are not scattered about in different parts of England, but lie in the main adjacent to one another. The problem, therefore, to be solved is narrowed down to establishing the general position of the groups ; for, if this is once satisfactorily ascertained, we shall have a sure key to the approximate position of the obscurer component districts. Nor is this the limit of simplification, for in all but two cases the general position of a group is already partly established for us by the occurrence within it of a name or names that we can identify with certainty. Consider, for example, the fourth group in the list. Here we have seven place-names that it would be almost hopeless to attempt to locate if they stood alone ; but being associated with Cilternsætna, which presumably means the

TABLE I

	Hides
Myrcnalandes <sup>1</sup>	30000
Wocensætna .	7000
Westerna .	7000
Pecsaetna .	1200
Elmedsaetna .	600
Lindesarona <sup>2</sup> .	7000
Suth Gyrwa .	600
North Gyrwa .	600
East Wixna .	300
West Wixna .	600
Spalda .	600
Wigesta [? 800]	900
Herefinna .	1200
Sweodora .	300
Gifla . .	300
Hicca . .	300
Wihtgara .	600
Noxgaga .	5000
Ohtgaga .	2000
That is	66100
Hwinca . .	7000
Ciltensætna .	4000
Hendrica .	3500
Uneungga .	1200
Arosætna .	600
Færpinga <sup>3</sup> .	300
Bilmiga . .	600
Widerigga .	600
East Willa .	600
West Willa .	600
East Engle .	30000
East Sexena .	7000
Cantwarena .	15000
Suth Sexena .	7000
West Sexena .	100000

This alles 242700

TABLE II

	Hides	
I. Myrcnalandes .	30000	30000
Wocensætna .	7000	
Westerna .	7000	14000
Pecsaetna .	1200	
Elmedsaetna .	600	
Suth Gyrwa .	600	3000
North Gyrwa .	600	
Lindesarona .	7000	7000
East Wixna .	300	
West Wixna .	600	1500
Spalda .	600	
Wigesta .	800	
Herefinna .	1200	2000
Sweodora .	300	
Gifla .	300	
Hicca .	300	1500
Wihtgara .	600	
Noxgaga .	5000	
Ohtgaga .	2000	7000
Ciltensætna .	4000	4000
Arosætna .	600	
Bilmiga .	600	
Widerigga .	600	3000
East Willa .	600	
West Willa .	600	
Færpinga .	300	
Uneungga .	1200	1500
Hendrica .	3500	3500
V. East Engle .	30000	30000
East Sexena .	7000	
Suth Sexena .	7000	
Hwinca .	7000	21000
Cantwarena .	15000	15000
Total	144000	
VII. West Sexena .	100000	

district of Chiltern, it follows that we can, with some confidence, place them in the neighbourhood of Oxfordshire and Buckinghamshire, in which the Chiltern Hundreds are situated. Similarly with Westerna and Wocensætna in the second group, being associated with Elmet, the presumption is that they are somewhere in Yorkshire or thereabouts.

Bearing these principles in mind we may now examine

<sup>1</sup> 'Thær mon ærest Myrcna hæc.'

<sup>2</sup> 'Mid Hæthfeld lande,' *i.e.* the district east of Doncaster.

<sup>3</sup> 'Is in Midel Englu Færpinga.'

the groups in turn, and see what can be made of them ; but as it is a sound principle to argue from the known to the unknown rather than *vice versa*, and as the known districts are mostly towards the end of the list, it will be best, in the first instance, to turn our attention to the last three groups and Wessex, and leave till later the consideration of the first 19 districts, forming Groups I., II., and III., which, as we have seen, are marked off from the rest by having the total of their hides specially noted in the Anglo-Saxon version of the hidage.

Limited in the way indicated, the problem immediately before us presents no very great difficulties ; for a reference to the table shows that, as the identifications of Wessex, Sussex, Kent, Essex, and East Anglia are free from doubt, there are practically only two doubtful items in the second half of the list. These are Hwinca, with its 7,000 hides, and the 8,000 hides attached to the unknown names in Group IV. But with regard to the latter, as we have already seen, we have a fair idea where they are from their association with Cilternsætna ; so all we have to do is to make up our minds where to place Hwinca. This, however, is not so very doubtful, when we consider that all the other names in the group to which it belongs are names of kingdoms, that the name itself very much resembles Hwicca, and that in the list, as we find it in the manuscripts, this district is not entered with its group, but immediately precedes Cilternsætna. All these considerations evidently indicate that Hwinca, as has usually been supposed, does represent the kingdom of the Hwiccas ; but if this is so, it will fill up the counties of Herefordshire, Worcestershire, and Gloucestershire, and consequently the unknown districts associated with Cilternsætna cannot lie to the west of Oxfordshire. This means that, unless we place them to the north, and so away from all the other districts that follow them, they must, as they do in the list itself, occupy a position between the Chilterns and East Anglia and Essex. In other words, though we cannot recognise their names, we must see in them the districts

that went to form the counties of Middlesex, Hertfordshire, Bedfordshire, Cambridgeshire, Huntingdonshire, and perhaps Northamptonshire. Nor is this altogether a mere deduction from the various premises we have been arguing from. For having once tentatively placed these seven districts in this position, it seems permissible to point out that the counties named form a very suitably sized area for 8,000 hides, when, according to our hypothesis, the counties of the Hwiccas are to have 7,000, and Oxfordshire and Buckinghamshire 4,000. At this point, too, we may take note of another indication which is clear as far as it goes, and which is contained in a marginal note inserted in the Anglo-Saxon version of the Tribal Hidage. This informs us that Færpinga, the fourth of the unknown districts in question, 'is in Midel Englu,' a statement that agrees with our provisional identification. For the hypothesis adopted clearly admits of Færpinga being located in the districts north of Cambridge and west of the Fens; and it is just this region that in early days must have formed part of Middle Anglia, or otherwise Peada, the king of the Middle Angles, in the seventh century, on his becoming a Christian, would not have commemorated the event by founding his great monastery at Peterborough in this neighbourhood. That Northamptonshire formed part of Middle Anglia, is, indeed, not open to doubt. For we know that the great bishop Wilfred died at Oundle in this county, and that his connexion with the monastery at this place arose from his being bishop of the Middle Angles.<sup>1</sup>

It will appear subsequently that these are not the only, or indeed the most convincing, arguments that can be adduced to confirm the positions assigned to these doubtful districts; but for the moment let us provisionally accept the identifications arrived at, and point out that, *if* they are correct, and it must be admitted they seem eminently reasonable and consistent, then three very important corollaries can be established which themselves will serve

<sup>1</sup> Bede, *Hist. Eccl.* v. 19.

as guides in the labyrinth, rendering the process of locating the remaining groups easier.

The first of these corollaries is that, as the 15 districts entered in the Tribal Hidage from Hwinca to Wessex appear to completely account for all that part of England which is situated south of a line starting along the north of Herefordshire and Worcestershire, and probably continuing along the north of Oxfordshire and Northamptonshire towards Peterborough and the Wash, then all the remaining districts entered in the first three groups must be located north of this line. The second corollary, and one that seems to throw a flood of light on our problem, is that the districts entered in the Tribal Hidage are named in their geographical order, the Cilternsætna in Oxfordshire, following the Hwiccas in Gloucestershire, Essex following East Anglia, Kent Essex, Sussex Kent, and so on. The third and remaining corollary is that, broadly speaking, the method of entering the names in the list is from north to south, though, of course, when England broadens out the direction has to be crossways as well in sweeps from west to east, or east to west.

Having deduced all we can from the consideration of the names in the second or easier half of the Tribal Hidage, easier because the proportion of known names is considerable, we may now turn to Groups I., II., and III., and see what can be made of them with the help of the conclusions we have come to in considering Groups IV., V., and VI. For it is clear that, however we may interpret it, the Tribal Hidage should be regarded as a consistent whole, and so any principles of interpretation we have evolved from studying the second half of it must equally apply and be applied to the first half. Working in accordance with these conditions, we shall find that after all there is really not so very much latitude as to where the remaining groups are to be located. For, if the northerly districts precede the southerly in our list, and if the districts are entered in geographical sequence, then Group III., with its 12,000 hides and 11 obscure place-

names, must represent the kingdom of Mercia—the Mercia, that is, of early days, when it had its centre on the upper Trent in the neighbourhood of Retford and Lichfield, and was confined to the territory stretching east and west of these places between the lands of the Southumbrians in Lincolnshire and the Welsh border. For, to satisfy our principles of interpretation, this group has to lie southward of the districts of the Peak, Elmet, and Lindsey in Group II., whose position is fixed, and also reach as far as Hwinca, the district which follows it in the list, and which we have already located in Herefordshire and Worcestershire. Similarly with Group II. The known districts it contains locate its southern portion, and show that this extended northwards from the Gyrwa or fenland through Lindsey and the districts lying north of the Peak,<sup>1</sup> now comprised in the West Riding, to Elmet near York. So far, then, there is no doubt. But having got as far as York, it is hardly possible not to believe that Wocenæstna and Westerna, the two remaining districts of the group, continue the sequence northwards and represent the East and North Ridings of Yorkshire with the district of Amounderness in Lancashire, so that in the group as a whole we have the early kingdoms of Southumbria and Deira.<sup>2</sup>

Finally, still following northwards, we have the comparatively large district of Myrcnalandes to account for, and this, in spite of the name apparently suggesting an identification with Mercia, must, if there is anything in our method, equate with the kingdom of Bernicia.

<sup>1</sup> Previous commentators have usually placed the Percæstna in Derbyshire south of the Peak, and they will be found entered there in the map of 'England before the Conquest,' contained in Poole's Historical Atlas. There seems to be no reason, however, why they should not equally well be placed north of the Peak, especially as the Anglian settlers, pushing inland from the Humber, would first approach the Peak from the north and east.

<sup>2</sup> An independent indication that Deira was originally made up of two divisions is perhaps to be seen in the plan brought forward in 691 by Aldfrith, king of Northumbria, and opposed by Wilfrid, for creating a bishopric of Ripon, separate from the see of York; for the bishoprics of early times, as a rule, corresponded with political divisions. (Eddi's *Vita Wilfridi*, § 45; ap. *Historians of York*, I., Rolls Series.)

By willing one or two small indications, and steadily applying the same principles of interpretation, all the groups have now been approximately located in a way that is at any rate consistent and which further has the merit of making the Tribal Hidage an intelligible document, drawn up on an intelligible principle. For no one can have followed the various steps of our argument, without seeing, that if the interpretation is at all well founded, then the Hidage is a scheme presumably of taxation, covering the whole of England, and that the groups in it correspond to the kingdoms into which the island was divided, just about the time of the general introduction of Christianity in the first half of the seventh century.<sup>1</sup> The order, too, in which the kingdoms are mentioned fits in with this interpretation, for at this period Northumbria was the leading kingdom, and so the list naturally leads off with Bernicia, which was the home of the ruling dynasty. It may be objected that this is all very well, but that we are begging the whole question of the date of the document. But this is not so, for such indications as we have of its date all agree with this hypothesis. Take, for instance, such names as Elmet-sætna, Gyrwa, and Cilternsætna, all of them names of districts of sufficient importance in Bede's time to be mentioned by him in his 'Ecclesiastical History,' but of none at all afterwards, and couple with this the fact that so many of the names are entirely obsolete, and it will be obvious that to assign the document to an early date is quite plausible. In harmony, too, with this view is the fact, dwelt on by Professor Maitland and other previous commentators, that there is an agreement between the Tribal Hidage and some statements made by Bede concerning the kingdom of Sussex and the Isle of Ely; for Bede relates<sup>2</sup> that in his time Sussex was reckoned to contain 7,000 families and Ely 600, whereas the

<sup>1</sup> In discussing Group IV., we did not actually identify it with any kingdom, but in the light of what has followed it is clear that the group as a whole, and not only some parts of it, may be identified with Middle Anglia

<sup>2</sup> Bede, *Hist. Eccl.* iv. 13, 19.



Tribal Hidage gives Sussex 7,000 hides and the Southern Gyrwa 600 hides. The point, in fact, as to the date of our document need not be further laboured, the majority of commentators agreeing that, if it is authentic at all, it must be very ancient. We see, then, that from every point of view, excepting perhaps the necessity of taking the name Myrcnaland as a mistake for Bernicia and not as the equivalent of Mercia,<sup>1</sup> our interpretation is fairly satisfactory, but that what it lacks to make it really convincing is some further testimony to support it that is not deduced from the internal evidence of the hidage itself, but derived from independent external sources.

Looking about for such testimony, we seem to find something in the nature of what we want in another of those passages in Bede's history which tell us how many families were estimated to belong to various districts. This time Bede is speaking about Mercia under Oswy, just after the death of Penda in 652, and he describes it as consisting of North and South Mercia divided by the Trent, the one kingdom having 7,000, the other 5,000 families.<sup>2</sup> Mercia, therefore, at this date had all the characteristics of the third group in the Tribal Hidage, which we have imagined to represent it, namely, a total assessment, as compared with other districts, of 12,000 of the standard units of measurement, made up of two component parts of 7,000 and 5,000 units respectively. Our provisional identification, therefore, of Group III. is not only rendered more probable, but can now be carried a step further, and we can assign Noxgaga and Ohtgaga with their 7,000 hides to North Mercia, and the remaining nine smaller districts to South Mercia.

It will be admitted that this evidence from Bede, tallying so neatly with the phenomena of the Tribal Hidage, and

<sup>1</sup> On the other hand, it should not be overlooked that even the copyist of the earliest version of the Tribal Hidage recognised a difficulty in this district; for a marginal note is inserted attempting an explanation to the effect that it is Mercia in a very old sense of the term, 'Thær mon ærest Myrcna hæst.'

<sup>2</sup> Bede, *Hist. Eccl.* iii. 24.

proving that in the England of the seventh century the unit of 12,000 and the division of this unit in the proportion of 7 : 5 were both in vogue, goes a long way towards establishing both the correctness of our conclusions so far, and the general trustworthiness of the Tribal Hidage as an authentic record. The more, however, we can supplement such evidence the better ; for too much corroboration is an impossibility. It is satisfactory, therefore, to find that at this stage we can adduce an argument, drawn from facts recorded in Domesday Book, that will not only fit in with the contentions we have already brought forward, but throw a most unexpected light on the whole meaning and purport of the hidage scheme, and also perhaps on much else in English fiscal history.

The gist of the argument we are about to propound is easily stated. It consists in the discovery that, if we count up the hundreds mentioned in the Domesday surveys of the eight counties we have provisionally identified with Group IV. and at the same time allow half hundreds, and double hundreds, and such like multiples to count, not as units, but in their proper proportions, as  $\frac{1}{2}$ , 2, and so on, we shall find that, whereas Group IV. has 12,000 hides, which may be expressed as  $120 \times 100$  hides, the total number of hundreds in the eight counties in 1086 was 120. Secondly, that these counties, in some cases when taken singly, in other cases when two are combined together, have assigned to them a number of hundreds that is a simple fraction of this total of 120, for example Northamptonshire 30 hundreds, Middlesex and Hertfordshire 15 hundreds. Thirdly, that these fractions are in the same proportions one to the other as the hidages of the sub-groups into which Group IV. is divisible. Fourthly, if we extend our inquiries, we shall find that this phenomenon is not confined to the districts comprised in Group IV., but applies also to Hwinca, which we have identified with the kingdom of the Hwiccas. For Hwinca has 7,000 hides, and the number of hundreds in the counties of Gloucestershire, Worcestershire, and Herefordshire com-

bined, as recorded in Domesday, appears to be 70. The conviction, in fact, is forced upon us that in these central districts of England the Hidage scheme and the Domesday Hundred scheme are to all intents parallel, as can be easily seen from the comparative table given below, the Domesday portions of which are based upon details which will be found at length in an Appendix.

TRIBAL HIDAGE			'DOMESDAY'		
	Hides			Hundreds	
Ciltensætna . . .	4000	} 7000	Oxfordshire <sup>1</sup> . . .	22	} 40
Arosætna . . . 600			Buckinghamshire <sup>2</sup> . . .	18	
Bilmiga . . . 600			Northamptonshire <sup>3</sup> . . .		
Widerigga . . . 600	3000		Cambridgeshire <sup>4</sup> . . .		15
E. Willa . . . 600			Huntingdonshire <sup>5</sup> . . .	8	} 20
W. Willa . . . 600		} 5000	Bedfordshire . . .	12	
Færpinga . . . 300	1500		Hertfordshire . . .	9½	
Unecungga . . . 1200			Middlesex . . .	5½	15
Hendrica . . .	3500				
Total . . .	12000		Total . . .	120	
Hwinca . . .	7000		Worcestershire . . .	12	} 70
			Gloucestershire . . .	(? 40) 39	
			Herefordshire . . .	(? 18) 19	

<sup>1</sup> The Oxfordshire hundred scheme is remarkable for its symmetry. Eleven hundreds lie to the west of the river Cherwell, and eleven to the east, the eastern group being in its turn subdivided into two groups of five and a half hundreds by the river Thame (see Appendix).

<sup>2</sup> The Buckinghamshire hundreds, as is well known, are in six groups of three (*Domesday Studies*, vol. i. p. 75).

<sup>3</sup> The two hundreds of Wiceslea, east and west, which form part of Rutland, but which in 1086 were attached to Northamptonshire and surveyed with it, are not included in this total. The district of Wigesta in the Southern Mercian group may possibly be identifiable with these hundreds.

<sup>4</sup> The two hundreds of Ely are not included in this reckoning, the district of South Gyrwa being entered in the Tribal Hidage in the second or Southumbrian group. It should not be forgotten that the Isle of Ely has always, even down to the present day, been reckoned a separate jurisdiction from Cambridgeshire proper.

<sup>5</sup> The Domesday Survey and later records only reckon four hundreds in Huntingdonshire. It would appear, however, that they had once been reckoned as eight, for not only are they all assessed at 200 hides, or thereabouts, which is about twice as much as any other hundreds anywhere in this neighbourhood, but there is an ancient Peterborough document in Birch's *Cartulary* (vol. iii. p. 367, No. 1128), which speaks of the northernmost of these hundreds as the two hundreds of Normancross, 'of tham twam hundredum the secæd into Normannes cros.' Domesday also, in referring to the hundred of Leytonstone, once speaks of the hundred of Kimbolton, thus, perhaps, preserving a trace of the former

It is evident that in these figures we have hit upon something that is entirely novel; for no one has hitherto supposed that the number of the hundreds in any part of England made anything like an artificial scheme. And yet, when we come to consider it, this should not be unexpected, or otherwise why should the hundreds in central England be so carefully reckoned in the eleventh century, some as double hundreds, some as 'other half' hundreds, and so on? It seems certain, too, that all this must have a considerable bearing on the vexed questions connected with the origin and meaning of the hundreds. For the moment, however, we cannot turn aside to consider what the bearing may be, but must return to the question of identifying the sub-districts in Group IV. In this matter the evidence we now have is pretty conclusive, and seems to remove the possibility of our whole hypothesis having been on false lines. The probability, in fact, now seems almost the other way; and it seems fair to assume not only that Group IV. in general represents the Middle Anglian kingdom, but that the ancient boundaries of that kingdom and of its subdivisions are still preserved in the boundaries of the eight counties covered by the group. For example, it hardly seems possible to doubt that Cilternsætna with its 4,000 hides not only corresponds generally with the regions adjacent to the Chiltern Hundreds, but that it is actually identical with, and had the same boundaries as, the 40 hundreds of Oxfordshire and Buckinghamshire combined. Similarly the five districts, with obscure names and 600 hides apiece, must almost certainly be identical with the 30 hundreds of Northamptonshire.<sup>1</sup>

division of this hundred. In spite of this alteration in the way of reckoning Huntingdonshire, the Domesday Survey still gives 120 hundreds to Middle Anglia as a whole; for the loss of four hundreds in Huntingdonshire is made up for by the two hundreds of Ely added to Cambridgeshire, and the two Rutlandshire hundreds added to Northamptonshire.

<sup>1</sup> It seems possible to identify one of these districts of 600 hides with the six hundreds in the south-west of Northamptonshire which have the Roman town of Towcester as a centre, viz., Clayley, Towcester, Norton, Warden, Sutton, and Alboldstow, and which are differentiated in Domesday from their neighbours by peculiar features connected with their hidation (see Round, *Engl. Hist. Rev.*

Whether Færpinga and Unecungga really equate with Cambridgeshire is not so clear, a doubt being raised by the resemblance of the latter name to Hunting-don. For we have only to change the 'c' of Unecungga into a 't,' a form of clerical error that is very common, and the two names are not so very dissimilar. On the other hand, if we do this and regard Unecungga as Huntingdonshire, then we have to suppose that the modern county boundaries in this case do not preserve the limits of the older districts, an inference which spoils the consistency of our interpretation. Altogether, then, in the absence of any decisive indication, it seems best to avoid this latter dilemma, and imagine Cambridgeshire to be meant, thus leaving it possible to consider Hendrica, with its 3,500 hides, as the exact equivalent of the 35 hundreds of Huntingdonshire, Bedfordshire, Hertfordshire, and Middlesex.<sup>1</sup>

All the districts entered in the Tribal Hidage have now been assigned to definite positions, with the exception of the component items of North and South Mercia entered in Group III. Here we cannot hope to get a definite clue by counting up the hundreds, for the greater part of the district is divided into wapentakes, which do not appear to be by any means the same thing. It seems, however, reasonable to argue that, if in Group IV. the sub-groups correspond with counties or clusters of counties, the same is to be expected in Group III. We accordingly apply this principle, and anyhow, as regards South Mercia, lying between the Trent and Welland, appear to get a

1900, p. 82*u.*). It is also tempting to locate East and West Willa along the Nene between Northampton and Oundle. For here we have a district, centring round the Roman town of Irchester, which has Wellingborough and Wilby as its centre, the hundred of Wileybrook to the northward, and the Bedfordshire hundred of Wiley to the southward. Similarly it is not impossible to see a connection between Widderigga and the townships of 'Widerintone' and 'Witeringham,' near Peterborough.

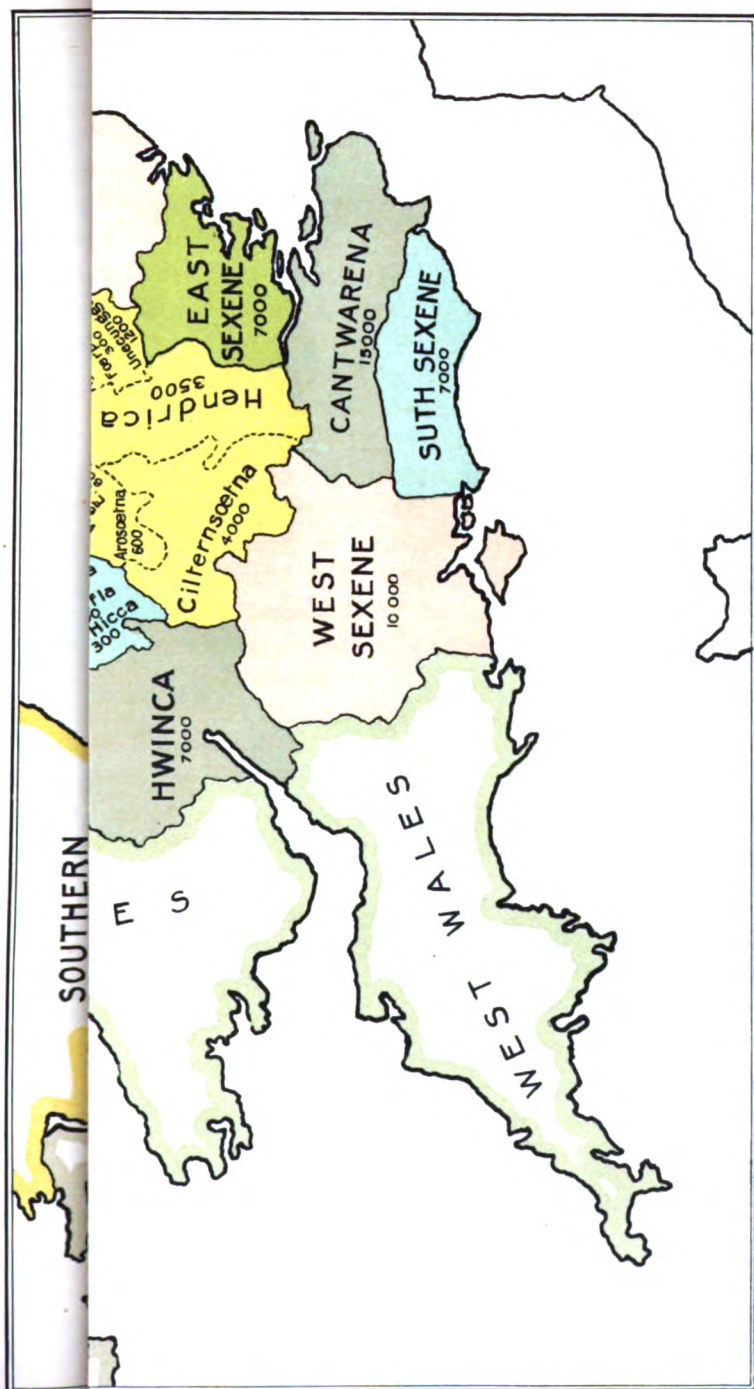
<sup>1</sup> It seems natural at this point to remark how appositely Hendrica to the north of Thames is balanced by Suthrice to the south. I am informed, however, by Mr. W. H. Stevenson that it is improbable that Surrey means the southern kingdom.

satisfactory result. For here we have three sub-groups to dispose of, containing respectively 1,500, 2,000, and 1,500 hides, and these seem to fit in well, the first with Kesteven, the second with Rutland and Leicestershire, and the third with Warwickshire.<sup>1</sup> Turning to the 7,000 hides of North Mercia, the clues used so far all fail us in trying to distinguish between Noxgaga and Ohtgaga. All we can say is that Noxgaga, from its position in the list, ought to lie along the Trent adjoining the counties of South Mercia, that Ohtgaga should probably be somewhere to the west of it,<sup>2</sup> and that the two together must account for Nottinghamshire, Derbyshire, Staffordshire, Shropshire, and Cheshire, and the lands between the Mersey and the Ribble. For these last are hidated, not carucated, districts in Domesday, and always formed part of the Mercian diocese of Lichfield.

The task of identifying the different districts has now been carried through, and as a result we can compile a more or less plausible map, in which all the districts of the Tribal Hidage appear with precise positions, the boundaries shown being those of the counties as they still exist. This map, too, supposing our hypothesis to be right, does more than illustrate the Tribal Hidage; for it enables us to fix the limits of the different kingdoms in existence at the date of the Northumbrian Supremacy in a way that would otherwise be impossible. One feature of it should not escape notice,

<sup>1</sup> This distribution is in harmony with the suggestion made above, that the name of the district of Wigesta may possibly be traced in Wiceslea Wapentake in Rutlandshire. It also permits of Hicca being located next the kingdom of the Hwiccas in that part of Warwickshire that is still ecclesiastically part of the Hwiccan diocese of Worcester. Lastly, it brings Spalda into a position in Kesteven immediately facing Spalding in Holland.

<sup>2</sup> If a mere guess is worth hazarding, we may perhaps see in the 2,000 hides of Ohtgaga the districts dependent on Chester, which were acquired by the Northumbrians from the Welsh after the battle of Chester in 607, and subsequently transferred to Mercia. This transfer undoubtedly occurred, but its date is unknown. It would not, however, be unreasonable to connect it with the battle of Maserfield in 642, when Penda defeated and killed Oswald. Such an identification, it may be remarked, is rather supported by the fact that at the date of Domesday there were apparently twenty hundreds in this district (see *infra*, p. 210 and the Appendix).



Spottiswoode & Co. Lith. London





and that is, that it brings together all the smaller districts, with 1,200 hides and under, into the east central Midlands. It looks, in fact, as if the compiler of the list, as we have it, was interested in the details of the subdivisions just north and south of the Welland, in the districts, that is, which about the eighth century composed the Middle Anglian diocese of Leicester, but was not interested in the details elsewhere to the same extent. These indications are small, but they point to the source of the document being Peterborough, the chief ecclesiastical centre in this district in the days of the Northumbrian and Mercian Supremacies.

In compiling the map one difficulty arises which must now be alluded to, and that is, what to do about the kingdom of Wessex. At the date we have assumed for the Tribal Hidage, Wessex was not an important kingdom, and all the evidence we have goes to show that its kings had hardly begun that expansion to the west at the expense of the West Welsh, which eventually led to their playing an important part and assuming the lead in English history. Their territory, in fact, at this period seems to have been limited to their original settlements in the counties of Hampshire, Berkshire, and Wiltshire ;<sup>1</sup> and yet the Tribal Hidage gives Wessex 100,000 hides, almost as much, that is, as the rest of England. Evidently there must be some mistake here, caused perhaps by the figures being adapted

<sup>1</sup> The expansion of Wessex to the west of the forest of Selwood seems only to have begun after the return of Cenwalh from his three years' exile in East Anglia. This occurred in 648, the year of the first building of the minster at Winchester. Ten years later Cenwalh drove the Welsh as far as the Parrett, but 30 years more elapsed before Ine founded Glastonbury, and it was not till 709 that Wessex had sufficient western possession to necessitate a division ecclesiastically into two bishoprics with Selwood as the boundary between them. Similarly to the east, it does not appear that Surrey was regularly part of Wessex till a much later period. For under Wulfhere, in 661, Mercia was predominant over all the southern districts, and even took away Wight and the Meonwaras from Wessex and gave them to Sussex. It may have been a desire to secure Surrey that led to Ceadwalla's campaigns against Kent in 686 and 687 ; but as late as 823 we still find Egbert contending for Surrey with Baldred, king of Kent, and in 835 he left Surrey with Kent to his younger son.

to fit later conditions, even if the number 100,000 ( $10 \times 100 \times 100$ ) is not intentionally designed to contrast with the 144,000 ( $12 \times 120 \times 100$ ) of the other districts put together. But to say that there must be a mistake is not a sufficient explanation. The question is, what should the figure really be to make it consistent with the others? It might seem hopeless to expect to get an answer to this question, were it not that this scheme of figures is so artificial that we may fairly expect all the entries to be mutually dependent, and to fit together. Acting on this assumption we can propound a solution, which it is very difficult not to believe is the right one, so neat is the result thereby attained. The solution is to suppose that the true figure for Wessex is 10,000, thus giving it the same hidage as the Southumbrian districts.<sup>1</sup> For if this is done, the whole list will be found to group itself symmetrically by kingdoms, and, more surprising than all, a clue will be furnished to explain why the compilers have noted the total hidage of the first 19 districts to be 66,000

<sup>1</sup> We may imagine an alteration of either 'x thusend' into 'c thusend,' or 'tien thusend' into 'hund thousand.' It is worth observing that if we read 10,000, the figure harmonises exactly with a statement made by William of Malmesbury (*Gesta Regum*, ed. Stubbs, i. 29) in referring to the grant of land made in 648 to his kinsman Cuthred by Cenwalh, king of Wessex. Cenwalh had just returned from a four years' exile in East Anglia, whither Penda had driven him, and he wished to set up a buffer between himself and his enemy. He accordingly gave Cuthred all the northern part of his kingdom, known as Ashdown, that is, the area now covered by Berkshire and North Wiltshire, as a sub-kingdom. In the Chronicle this transaction is described as a gift of 'iii thusendo londes,' a phrase which undoubtedly means 3,000 hides (see Plummer, *Saxon Chronicles*, ii. 23). William of Malmesbury, however, describes the grant as 'pene tertium regni partem,' which is just what it would be, if the Wessex of the seventh century were reckoned as containing 10,000 hides. It is to be noted also that on this supposition Cenwalh must have left himself with an immediate dominion of 7,000 hides, a figure which is assigned by the Tribal Hidage to no less than seven other districts. If we like to go back another seventy years to the period before the attacks on Wessex of either Penda or the Northumbrians, when Ceawlin was Bretwalda and the dominions of Wessex less restricted, we get another remarkable result. For then, if the figures of the Tribal Hidage be applied, the hidation of the West Saxon territories would be as follows: Wessex proper 7,000, Ashdown with Cilternsætne 7,000, Hwicca 7,000.

hides. Adopting the emendation suggested, the scheme we obtain is as follows :

		Hides	
Bernicia . . . .	30000	44000	} 66000
Deira . . . . .	14000		
South Humbria . . . .	10000	22000	
Mercia . . . . .	12000		
East Anglia . . . .	30000		} 66000
Essex . . . . .	7000	44000	
Hwicca . . . . .	7000		
Middle Anglia . . . .	12000	22000	
Wessex . . . . .	10000		} 22000
Kent . . . . .	15000		
Sussex . . . . .	7000		

The symmetrical repetition of the figures in this list can hardly be an undesigned coincidence, but it certainly adds to our mystification. For here we have reached an entirely new unit of 220, to place beside the more usual ones of 100 and 120, with which Domesday familiarises us. It is true that 100 added to 120 makes 220. But this observation does not help us much. We have termed it a new unit, and so it probably will be to most people, but yet the only thing that can be certainly affirmed about it is, that it also reappears in the Domesday Survey. The evidence on which this assertion is made cannot here be given in detail, but it will be found that if the hides in the hundreds of Middlesex and Cambridgeshire be counted, they both form elaborate schemes based upon a unit of 220. These Domesday hidage schemes, given below, show that the unit of 220 was one employed quite at the end of Saxon times. They do not, however, afford an explanation of its meaning or origin, and none can be attempted at this point.

## MIDDLESEX

		Hides	
Eastern Hundreds	{ Ossulston . . . .	220	} 440
	{ Edmonton . . . .	70	
	{ Gore . . . . .	150	
Western Hundreds	{ Elthorn . . . . .	225	} 330
	{ Hounslow . . . .	105	
	{ Spelthorn . . . .	110	
Total . . . .		880	

CAMBRIDGESHIRE <sup>1</sup>

		Hides	
North Eastern Hundreds	Ely . . . .	80	} 220
	Staplehoe . . . .	90	
	Cheveley . . . .	50	
	Stane . . . .	50	
	Radfield . . . .	60	
South Eastern Hundreds	Fleamditch . . . .	56	} 110
	Chilford . . . .	54	
	Whittlesford . . . .	80	
	Triploew . . . .	90	
	East Cambridge . . . .	50	
South Western Hundreds	West Cambridge . . . .	50	} 220
	Wetherley . . . .	80	
	Armingford . . . .	100	
	Long Stow . . . .	100	
North Western Hundreds	Papworth . . . .	97½	} 330
	North Stow . . . .	112½	
	Chesterton . . . .	120	
		1320 hides	

Total of Middlesex and Cambridgeshire 2,200 hides.

Returning to the consideration of the Tribal Hidage, it is more illuminating to observe that in the scheme of kingdoms we have just worked out, the largest hidages, connoting presumably the greatest wealth and the densest populations, are assigned to Bernicia, whose kings held the Bretwaldaship in the years to which we assign the scheme, and to East Anglia, whose kings had previously held it. We note, too, that the general arrangement is to divide the country into a northern and a southern sphere, equally hidated, the one headed by Bernicia, the other by East Anglia, while Kent and Sussex form a kind of appendage outside the main scheme. Presumably this is not a chance arrangement. We accordingly look for a period in early English history when this arrangement would be suitable, and have no

<sup>1</sup> To bring this scheme to light we have first to assume that the borough of Cambridge, which Domesday (i. 189a) says 'se defendebat pro uno hundredo,' was charged with 100 hides, and then to lay 50 on the part of the town to the east of the Cam, and 50 on the part to the west. The symmetry of the scheme that results makes it practically certain that these assumptions are correct, especially when it is further remarked that the boundaries of the groups and sub-groups are for the most part important physical features, such as the Ouse, the Cam, the Roman Ways, and the four great dykes that run across the Icknield Way.

difficulty in seeing that such a scheme harmonises best with the state of affairs under Edwin, the founder of the Northumbrian Supremacy and the first of the Bretwaldas whose power extended both north and south of the Humber. For Bede, who is our great authority for the period, is careful to tell us that 'Edwin had the dominion over all the races of the English, save only the men of Kent,'<sup>1</sup> the reason being that his wife was a Kentish princess, and that he treated his father-in-law as an ally rather than a subject. At any subsequent period this was hardly the case, the later Bretwaldas treating Kent as an ordinary subject province, like any other in their dominions.

There are fair grounds, then, in the construction of the Tribal Hidage alone, when reduced to its simplest form, for tracing its origin to the reign of Edwin. But if this is so, there cannot be much doubt as to its object and meaning, and we must see in it the first effort to tax England as a whole, made by the first king that ever reduced it to subjection. In a word, the Tribal Hidage is nothing else than Edwin's tribute roll, or if not his actual scheme, as regards all the details, at any rate a modification of it, evolved by the succeeding Bretwaldas, Oswald and Oswy, and preserving the main outlines. Nor is there really anything so very startling in this solution. At first sight it may seem an assumption to say that the Bretwaldas had a tribute roll. But after all, what can their so-called supremacy have meant to these 'wielders of Britain,' if not the levying of tribute? In the exactly parallel case of the consolidation of Norway by Harold Haarfager it seems to have done so, for the sagas are full of allusions to the conquered kings as payers of tribute; and the same, of course, was the case when the Danes conquered England. *A priori*, then, though the historians do not dwell on it, it is legitimate to regard the Bretwaldas as exactors of tribute. But if tribute is to be regularly paid over any large area, then there must be some scheme whereby the burden is distributed, and the work of collection facilitated.

<sup>1</sup> Bede, *Hist. Eccles.* ii. 5.

A *rotulus exactorius* of some kind, recording the amounts due, and distributing them, must therefore have probably existed, just as we know it did in the later case of the Danegeld, though as yet no one has taken the trouble to piece it together from Domesday. The tribute roll of the Bretwaldas, then, is not so much a flight of the fancy as a natural inference from the few known facts of early English history, and one which might equally well have been arrived at, even if no such list as the Tribal Hidage had existed. Indeed, it is somewhat remarkable that commentators on Bede have not already suggested that something of this kind must really be the source of the estimates of population that he records. For primitive people do not undertake statistical inquiries out of mere curiosity, and the numbering of a people has often been resorted to as an obvious preliminary to the imposition of taxes. Bede's figures, therefore, can most naturally be explained as fragments of some financial scheme undertaken by the great Northumbrian kings. But then, in the only cases in which we can compare them, his figures agree with the figures in the Tribal Hidage; so once more we are brought round to the conclusion that the Tribal Hidage, and with it the whole plan of assessing England in hides, which certainly existed in the seventh century, as Bede so frequently alludes to it, are to be attributed to the fiscal activity of the Bretwaldas.

We are now in a position to approach the question of the relation of the Tribal Hidage to the later hidages, but first let us see whether there is any connection between the figures of the Tribal Hidage and the number of the hundreds in the remaining southern counties, similar to the connection already noticed in the case of the kingdoms of the Middle Angles and the Hwiccas. To do this, we must compile a table of the hundreds in all the counties, where hundreds existed in the eleventh century—a task which is by no means easy. For not only are the names of the hundreds spelt in such a great variety of ways in the Domesday Survey, that it is often difficult to tell whether

one or two hundreds are meant by names that are nearly identical ; but there are several of the south-western counties where the names of the hundreds are not entered at all. Here we have to fall back upon the Exeter Domesday, which gives several lists of the hundreds, but these unfortunately do not agree with one another, and appear to be both incomplete and ambiguous. Occasional omissions, too, of a hundred<sup>1</sup> name may be suspected even in those districts where the Domesday Survey professes to give them, not to mention such clerical errors as the insertion of portions of some hundreds in quite the wrong counties.<sup>2</sup> Altogether, then, there are many pitfalls. Avoiding these as best we may, we arrive at the remarkable scheme for the southern counties given on the next page. The details of this scheme, owing to their length, cannot be given in the text, but they will be found in an Appendix, which shows the names of the hundreds and how they have been counted in the reckoning.

In spite of the admitted difficulty of counting up the hundreds,<sup>3</sup> it is hardly possible to look at this list and not to come to the conclusion that the round numbers it contains are due to design, and that here we have once more stumbled on one of those artificial fiscal schemes which seem at all periods to underlie the Anglo-Saxon methods of organisation. As some of the numbers are open to doubt, and as one or two emendations have to be made before the total comes out exactly at 700 hundreds, it is natural to hesitate before accepting this conclusion ; but, after all, the proportion

<sup>1</sup> For example, Farnham in Surrey, or Tewkesbury and Berkeley in Gloucestershire.

<sup>2</sup> It appears certain that the appearance of the Staffordshire hundred of Cudolvestan in the surveys of both Warwickshire and Northamptonshire is due to this kind of error. It is also clear that large tracts of Oxfordshire are by mistake entered in the Northamptonshire survey, though in this case the names of the Hundreds are not given.

<sup>3</sup> The figures given in the table will be found to differ in some instances from those given by Dr. Stubbs. (*Constitutional History*, vol. i. ch. v.) This is partly to be accounted for by the fact that Dr. Stubbs makes no distinction between hundreds, half hundreds, and hundreds and a half ; but even so, it is difficult to see how one or two of his figures have been reached.

TABLE SHOWING THE NUMBER OF THE HUNDREDS  
IN THE ELEVENTH CENTURY

		Number of Hundreds				
Anglian Districts	West Mercia	North Wales (hidated)	2	10	300	
		„ (not hidated) (?)	2			
		South Lancashire	6	20		
		Cheshire	10			
		Shropshire	15			
		Hwiccas	Staffordshire	5		10
	Warwickshire		10			
	Worcestershire		12	70		
	Herefordshire		19			
	Gloucestershire		39	40		
	Middle Anglia		Oxfordshire			22
		Buckinghamshire	18			
		Northamptonshire	30	30		
		Rutland (part of)	2			
Huntingdonshire		(?) 4	35			
Cambridgeshire		17				
Bedfordshire		12	15			
Hertfordshire		9½				
East Anglia	Middlesex	5½	60			
	Norfolk	36				
	Suffolk	[24½]	24	400		
Essex	Essex	[19½]	20			
	Kent	East Kent	40		60	
West Kent		20				
Sussex	Sussex	(?) 60	60			
	Wessex	Surrey	14		80	
Berkshire		22				
East of Selwood	Hampshire	44	40			
	Wiltshire	40				
	Wessex	Dorsetshire	[39]	40	140	
Somersetshire		[59]	60			
West of Selwood		Devonshire	33	40		
	Cornwall	7				
Total number of hundreds			700			

of doubtful figures is very small, and the emendations trifling, and only used to bring those few items into line that would otherwise look exceptional. The list, too, has a noticeable feature which perhaps may be appealed to as giving it weight, and which certainly seems to throw some light on its origin, and that is, that it divides into two parts, one containing 400 hundreds and the other 300. For it is easy to see that the districts thus separated correspond with the political divisions of the ninth century, the 400 hundreds covering the territory which was brought under the direct rule of the West-Saxon house by Egbert in 823 when he



founded the West-Saxon Supremacy,<sup>1</sup> while the 300 hundreds correspond with territories that continued to be ruled by the Mercian and East-Anglian kings for another 50 years, and which were only incorporated with Wessex in the tenth century upon the expulsion of the Danes by Alfred and Edward the Elder. If, then, we are really dealing with a fiscal scheme, as we have suggested, it is pretty clear to what period it belongs, and we must connect it with the rise of Wessex and the reorganisation of the country after the Danish invasions. And now what is the relation of this scheme to the Tribal Hidage? Clearly, though they are different in detail, they are both of the same kind. In other words, they are both schemes based on the hundred as the unit. We did not actually reach this conclusion as regards the Tribal Hidage when discussing it, but all the indications pointed to it; for the figures it contains are all multiples of 100, and in the Midland districts correspond with the numbers of the still existing hundreds. It was quite tempting, therefore, to see in it a scheme of hundreds rather than of hides. But until some independent evidence was forthcoming that the hundreds ever had been units in an artificial scheme, such an interpretation could only be regarded as a guess. Now, however, this is not the case, for it has been found that the later hundreds did apparently form such a scheme. There is accordingly a considerable probability that at all periods there had been a somewhat similar arrangement, and it no longer seems a rash interpretation to regard the Tribal Hidage as in reality a scheme of hundreds artificially arranged.

<sup>1</sup> *A.-S. Chron. ann.* 823. 'The same year Egbert sent his son Ethelwulf with a large force into Kent, and they drove Baldred the king northwards over the Thames. And the men of Kent, and the men of Surrey, and the South Saxons, and the East Saxons submitted to him.' According to Mr. Plummer, in his note on this passage, Sigred of Essex is found signing charters as 'rex' in 811, but disappears after 823, 'unless he is to be found among the Sigreds who sign a little later as 'dux.' Egbert dying in 836 and Ethelwulf in 858, both kept these acquisitions separate from Wessex proper, and left them to a younger son.

The two schemes, then (we may call them the West-Saxon and the Northumbrian), appear to be parallel. But though this is so, it is clear that they are independent, and that the later is not a mere modification of the earlier. For a comparison shows that it is only in the Midlands that they agree. In both schemes the Hwiccas have 70 hundreds and Middle Anglia 120; but in East Anglia, where the Northumbrian scheme records 300 hundreds, the West-Saxon scheme only records 60, a reduction of exactly 80 per cent. Similarly in the cases of Essex and Kent. In Essex the earlier scheme records 70 hundreds, the later apparently 20; in Kent and Surrey the earlier scheme 150, the later 74 or almost exactly half. In Sussex and the original Wessex the divergence is not so great, but still there is no agreement. For Sussex has 70 hundreds in the Northumbrian scheme and apparently 60 in the West-Saxon, while the figures for Wessex show an increase from 100 in the earlier scheme to 106 in the later. Nor is this all; for the grouping is also altered, Surrey, if our interpretation is right, being taken in the earlier scheme with Kent but in the later with Wessex.<sup>1</sup> The whole symmetry, too, and balance of the later scheme is different from that of the earlier, depending upon the inclusion of the counties west of Selwood, which formed no part of the Northumbrian dependencies, and upon a division of Mercia, not as in Bede's time into a north and a south kingdom, but along the line which in the eleventh century separated the carucated from the hidated districts and which seems to have originated in the partition effected between the Danes and Ceolwulf in 877.<sup>2</sup> The relation, then, between the two schemes, except in the Midlands, is at most one of

<sup>1</sup> This certainly points to the Wessex portion of the West Saxon scheme being later in date than the accession of Alfred. For until his accession Surrey went with Kent and formed a part of the eastern sub-kingdom several times assigned to a younger scion of the West-Saxon house. (*A.-S. Chron.* an. 836, 855.)

<sup>2</sup> Here, again, we have an indication, as to the date of the West-Saxon scheme, evidently in agreement with the tradition that the hundreds as they existed in the eleventh century had been reorganised, if not, as some would have it, created by the West Saxons.

imitation; and we seem to see dimly put before us two successive attempts to organise a scheme of taxation, both utilising the hundred as the unit, but made at widely different times, and suited to quite different stages in the economic and political development of the country. It must be admitted, however, that it is surprising to find the eastern districts treated so differently in the two schemes. That they were more important, more thickly populated, and wealthier than the centre of England in the Northumbrian period, and that accordingly their hundreds were smaller, is intelligible, as they were the regions of the first settlements; but that they should have lost their relative pre-eminence to the extent implied by the later scheme is hard to understand. On the other hand, if the earlier hundreds along the eastern coasts were no bigger than those still existing in Sussex, there would be no difficulty in finding room for 300 in Norfolk and Suffolk, or 150 in Kent and Surrey, as implied by the Northumbrian list. Indeed, it is not impossible to see traces of some such small divisions in the leets, into which the East-Anglian hundreds were still divided at the date of Domesday. The difficulty consists solely in seeing any reason why, if the districts along the eastern coasts had in the seventh century been able to provide such a large proportion of the total taxation, their burden should have been so enormously lightened in the tenth, especially as that of Sussex remained approximately the same. All that can be said is, that the same kind of phenomenon is met with in later times, and that there is evidence in the Domesday Survey of wholesale alterations having recently been effected in the hidation of some of the counties, alterations which it is equally difficult to account for and which apparently must have shifted the burden of taxation to an equal extent and with equally unfair results.<sup>1</sup>

We come now to the final question, the relation of the

<sup>1</sup> See on this question, Maitland, *Domesday Book and Beyond*, p. 457-9; also Round, *Engl. Hist. Rev.* 1900, p. 83, where it is pointed out that the Domesday figures for Northamptonshire point to a recent reduction of 60 per cent.

Domesday hidages to the two schemes we have just been comparing. Assuming that the explanations we have hazarded of these two schemes, though admittedly hypothetical, have some foundation, it is not very difficult to suggest a rational answer to this question also. It is simply this: that just as in course of time the Northumbrian scheme became obsolete<sup>1</sup> and was replaced by the West-Saxon scheme, so somewhere about the end of the tenth century or the beginning of the eleventh, a need arose, very likely owing to the great exactions of Danegeld by Sweyn and Canute, for some more accurate method of distributing fiscal burdens than was provided by any scheme that simply took the hundred as the unit, and ignored the comparative size and wealth of these divisions. The practice of attributing 100 hides to each hundred which characterises the Tribal Hidage, and which was presumably continued under the West-Saxon scheme,<sup>1</sup> was therefore abandoned, and an entirely new scheme devised in which each county or group of counties was first allotted a round sum of hides, a sum which itself no doubt fitted into a general scheme for the whole country but which bore no direct relation to old divisions into hundreds, and then this in its turn was distributed among the hundreds in a way that paid some regard to their wealth and area, some having 20 hides, some 40 hides, some 80, some 100, some even 120 hides, and so on. In this way a much more elaborate scheme was produced than any that had preceded it, and a more equal distribution of fiscal burdens was effected. At the same time nothing like a modern standard of equality was attempted, tenth-century ideas of justice being satisfied by giving the average vill 10 hides, large vills or vills with many appendant hamlets multiples of 10 hides, small vills fractions of 10 hides, and so on. In the north, in the districts divided into wapentakes a similar scheme was introduced, only there a unit of

<sup>1</sup> It will be shown directly that in both East Anglia and Northamptonshire there existed an equal assessment of the hundreds at 100 hides, even after it was abandoned elsewhere,

12 carucates took the place of the unit of 10 hides, to suit the Danish methods of reckoning. It is important, however, to observe that in an important part of England, in the counties of Norfolk and Suffolk, the new scheme was not introduced. The reason for this cannot be guessed; but it is clear from the Domesday Survey that in these counties the older method was maintained and the hundreds still treated as equal units. For the entries that relate to their fiscal assessment are not given in these counties in the form of either hides or carucates, but proceed on the assumption that each hundred is to find 1*l.*, each half hundred 10*s.*, and each hundred and a half 30*s.* Assessments in pence are accordingly entered for each vill, proportioned in such a way as to make up 20*s.* when the vills in any hundred are reckoned together,<sup>1</sup> with the natural result that there is great inequality, and that the vills in large hundreds are much less heavily burdened than the vills in small ones. It appears, too, from the Pipe Rolls that as a matter of fact, when a Danegeld was taken, 10*l.* and not 1*l.* was charged on each of these hundreds, which, as the rate elsewhere was 2*s.* on the hide, is the same thing as saying that each hundred was treated as if it had contained 100 hides.<sup>2</sup> It would seem, then, that there is sufficient proof that in this

<sup>1</sup> As examples we may give the assessment of a Norfolk hundred and a Suffolk half hundred. *Walsham hundred*:—Acle, 24*d.*; Wood Bastwick, 16*d.*; Beighton, 12*d.*; Fishley, 10*d.*; Halvergate, 24*d.*; Hemblington, 16*d.*; Moulton, 15½*d.*; Panxford and Ranworth, 16*d.*; Reedham, 16*d.*; Tunstall, 8*d.*; Upton, 24*d.*; South Walsham, 48*d.*; Wickhampton, 10½*d.*—total, 1*l.* *Cosford half hundred*:—Ash, 1½*d.*; Bildeston, 5*d.*; Brettenham, 10*d.*; Chelsworth, 3¾*d.*; Elmsett with Aldham, 15*d.*; Hadleigh, 11½*d.*; Hitcham with Kettlebarston and Wattisham, 15*d.*; Kersey, 7½*d.*; Lafham, 3½*d.*; Layham, 7½*d.*; Layham, 4½*d.*; Lindsey, 6*d.*; 'Manetuna,' 3*d.*; Naughton, 5*d.*; Nedging, 2½*d.*; Semer, 2½*d.*; Thorpe Morieux, 5*d.*; Whatfield, 5*d.*; alia Whatfield, 6*d.*; Total, 9*s.* 11¾*d.* In area these two districts are much about the same size.

<sup>2</sup> Norfolk, excluding the two urban hundreds of Norwich and Thetford, contained 34 hundreds, and we find from the Pipe Rolls that the sum charged on it for the Danegeld about the year 1150 was 330*l.* 2*s.* 2*d.* Suffolk, excluding Ipswich, contained 23½ hundreds, and was charged with 235*l.* 0*s.* 2*d.* These figures, taken from Professor Maitland's *Domesday Book and Beyond* (p. 400), are not exactly at the rate of 10*l.* a hundred, but they are sufficiently near it to warrant the statement in the text.

district a method of taxation by hundreds lasted on well into Norman times, exactly similar to the method that we have postulated as being implied by the Tribal Hidage.

A similar case of the old system surviving is apparently presented by Northamptonshire. Here, if the Domesday hidages be analysed, it will be found that each hundred is assessed at 40 hides.<sup>1</sup> Mr. Round, however, has very acutely pointed out, that many of the hidages in this county are given in such peculiar fractions that they can only be accounted for by supposing a recent reduction of 60 per cent., with the result that 10 hides had become 4 hides, two hides  $\frac{2}{3}$  of a hide, 4 hides  $1\frac{2}{3}$  (or as Domesday expresses it, 1 hide +  $\frac{1}{3}$  hide +  $\frac{1}{6}$  hide), and so on.<sup>2</sup> The assessments, therefore, of 40 hides imply original assessments of 100 hides a conclusion which is in conformity with half the entries in the document known as the Northamptonshire Geld Roll.<sup>3</sup> For this, speaking from a date somewhere about 1070, gives all the western hundreds 100 hides apiece. It is fair, then, to assume that up to the eve of the Conquest the West-Saxon assessment of the 30 hundreds of Northamptonshire remained at the 3,000 hides it had always stood at, and that the Northamptonshire Geld Roll, which shows the eastern hundreds reduced, but not the western, records a temporary step, which was not found satisfactory, and which was quickly followed by the general reduction to 1,200 hides,

<sup>1</sup> The Domesday returns hardly ever work out quite correctly to this amount, but they are so very near to it in every case that this conclusion is hardly doubtful. For example : Corby hundred, 39 hides ; Stoke,  $39\frac{2}{3}$  ; Warden,  $37\frac{1}{2}$  ; Higham hundred and a half,  $60\frac{1}{2}$  ; the eight hundreds of Oundle, which formed the Soke of Peterborough, 320 hides +  $1\frac{1}{2}$  hides at Little Catworth in Huntingdonshire. As a specimen of the distribution of the 40 hides among the villis, we may give the figures for Mawsley Hundred. They are : Brixworth,  $9\frac{1}{2}$  hides ; Faxton with Mawsley, 2 ; Hanging Houghton,  $4\frac{1}{2}$  ; Holcot,  $4\frac{1}{2}$  ; Lamport,  $4\frac{1}{2}$  ; Scaldwell,  $4\frac{1}{2}$  ; Walgrave and Old,  $9\frac{1}{2}$ —total, 40 hides.

<sup>2</sup> Round, *Engl. Hist. Rev.* 1900. The reduction had not been carried out in many of the hundreds by this simple method of doing a proportion sum. In several the hides would appear to have been distributed afresh.

<sup>3</sup> Round, *Feudal England*, p. 153. Maitland, *Domesday Book and Beyond*, p. 457.

witnessed to by the entries in Domesday. For, deducting the 160 hides which belong to the two hundreds of Wiceslea in Rutland, the Geld Roll gives a total assessment for Northamptonshire of 2,504 hides, and charges the 15 western hundreds with 1,500 hides, and the 15 eastern hundreds with 1,004 hides. This last figure, however, looks as if it were an error for 1,000 hides, and anyhow shows that the idea had been to relieve half the county of one-third of its assessment.

The explanation we have ventured on of the origin of the Domesday hidages and of their relation to earlier schemes has been necessarily stated in a theoretical form, and a theory it must remain until the real totals for the different counties, as recorded in Domesday, have been accurately ascertained, and their relation to one another revealed. But to ascertain these totals would require the accurate analysis of the whole of Domesday Book, an enormous undertaking, which every one has as yet shrunk from, and which certainly could not be thought of for the purposes of this paper. In the hope, however, that a partial effort to carry out this work would be of some use, a more or less complete examination has been made of the eight counties forming the Middle-Anglian area, the result of which may now be given. For this purpose let us compile a table, and place in it (i) the number of hundreds in each of the eight counties as recorded in Domesday, (ii) the Danegeld charged upon them about the year 1150,<sup>1</sup> (iii) the hides as they have been reckoned by Professor Maitland, (iv) the hides as we compute them, and (v) the rounder totals which these figures may be held to imply, after making some trifling allowances to complete a number of 10 hide units that are slightly imperfect in the Domesday returns, and after restoring the assessments of Northamptonshire and Rutland to their original amounts.

<sup>1</sup> Quoted from Maitland, *Domesday Book and Beyond*, p. 400.

The table we thus obtain is as follows :

—	Hun- dreds I	Danegeld c. 1150 II			Hideage (Mait- land) III	Hideage (Corbett) IV	Hideage (cor- rected) V	—
Oxfordshire . . .	22	£	s.	d.	2492 <sup>1</sup>	2494	2500	} 5500
Northamptonshire . .	30	119	10	9	1196 <sup>2</sup>	[1200]	3000	
Rutland (south part) . .	2	11	12	0	80	[80]	200	
Huntingdonshire . . .	4	71	5	0	747 <sup>3</sup>	817 <sup>1</sup>	820	} 5500
Bedfordshire . . .	12	110	12	0	1193	1215	1220	
Buckinghamshire . . .	18	204	14	7	2074	2125 <sup>1</sup>	2140	
Hertfordshire . . .	9 <sup>1</sup>	110	1	4	1050	1118	1120	} 2200
Middlesex . . .	5 <sup>1</sup>	85	12	0	868	880 <sup>1</sup>	880	
Cambridgeshire . . .	17	114	15	0	1233 <sup>3</sup>	1317	1320	
Total . . .	120 hundreds				Total 13,200 hides			

Though it is possible that there may be some undetected error in the above figures, on the whole they can be accepted with some confidence ; for, except in the case of Oxfordshire, they have not been compiled by merely adding up the Domesday entries, but all the entries have been extracted and regrouped by hundreds and villages, and the 10 hide units restored. The total, therefore, we have arrived at of 13,200 hides is probably the correct one, in spite of our items for Buckinghamshire and Hertfordshire not agreeing very well with Professor Maitland's calculations. But if so, it is clear how the new assessment was made. For 13,200 is the same thing

<sup>1</sup> The figure given by Professor Maitland is 2412, but 80 hides are to be added to this for the Oxfordshire fiefs of the Bishop of Contance (46½), Hugh de Grentmaisnil (29½), and William Pevrel (4), erroneously entered in the Northamptonshire Survey.

<sup>2</sup> The figure given by Professor Maitland is 1356, but the 80 hides belonging to Oxfordshire must be deducted, and also the 80 hides belonging to the two hundreds of Wiceslea in Rutland.

<sup>3</sup> Professor Maitland excludes the boroughs (*Domesday Book and Beyond*, p. 409) ; but in the survey Huntingdon is given 50 hides, and Cambridge is said to defend itself as a hundred. We have already shown what a symmetrical result is obtained if this latter is reckoned as 100 hides (*supra*, p. 206). On the other hand, we have only reckoned Bedford as one hide, though for some purposes it counted as a half hundred. For Domesday says, 'nunquam hidata fuit praeter 1 hidam' (*D. B.* i. 209a). In this respect it resembled Buckingham. Oxford, Northampton, and London do not seem to have been hidated.



as 12,000 + 1,200, and this shows that the intention of the assessors was to increase the old assessment of the eight counties by 10 per cent.—to raise it, that is to say, from  $10 \times 1,200$  hides to  $11 \times 1,200$ . At the same time the old method of dividing the Middle-Anglian group into two parts in the proportion of 7 : 5 to one another was not wholly abandoned, though the line of the subdivision was somewhat altered. As before, too, simple fractions of the whole are in some cases furnished by single counties, Cambridgeshire furnishing  $\frac{1}{10}$  and Middlesex  $\frac{1}{5}$ . The origin of the unit of 220 or 110 hides, which puzzled us before, is also explained. For  $110 = \frac{1}{1\frac{1}{2}} \times 13,200$ .

Altogether, then, we have reached a very satisfactory result. But this is not all. For, having arrived at the conclusion that the Domesday assessment of the Middle-Anglian counties is a multiple of 1,200 hides, we cannot fail to notice how this fits in with some other county assessments that are pretty certain, and also with the general drift of the figures in the document known as the County Hidage.<sup>1</sup> For this last gives Worcestershire 1,200 hides, Gloucestershire 2,400 hides, Shropshire 2,400 hides, Warwickshire 1,200 hides, Cheshire 1,200 hides, Wiltshire 4,800 hides; and, though in most cases these assessments differ from the Domesday figures, still, for Worcestershire and Gloucestershire, they are in agreement, while the group composed of Warwickshire, Staffordshire, Shropshire, Cheshire, and Lancashire seems in Domesday to have 3,600 hides.<sup>2</sup> Nor should it be forgotten that, though the East-Anglian hundreds were not hidated, still their contributions to the Danegeld were calculated as if each contained 100 hides, and that accordingly, as there were 60 hundreds, the whole district paid as if it contained 6,000 hides, Norfolk

<sup>1</sup> Maitland, *Domesday Book and Beyond*, p. 456.

<sup>2</sup> For the assessments of Worcestershire and Gloucestershire, see Maitland, *Domesday Book and Beyond*, 451-5, 457. The figures for the more northern counties are:—Warwickshire about 1,300 hides, Staffordshire 500 hides—total 1,800 hides. Shropshire about 1,200 hides, Cheshire about 520 hides, South Lancashire 79 hides—total 1,800 hides.

being charged as if it had 3,600 hides, and Suffolk as if it had 2,400.

Finally, we may bring these figures into connection with the statements made in the Anglo-Saxon Chronicle concerning the sums levied as Danegeld by Sweyn and Canute between the years 991 and 1018, all of which may be expressed as multiples or quite simple fractions of 12,000*l*. These may be tabulated as follows:—

	£		£
991	10,000	= $\frac{5}{6}$ ×	12,000
994	16,000	= $1\frac{1}{3}$ ×	12,000
1002	24,000	= 2 ×	12,000
1007	36,000	= 3 ×	12,000
1009	3,000	= $\frac{1}{4}$ ×	12,000 paid by East Kent
1012	48,000	= 4 ×	12,000
1014	21,000	= $1\frac{3}{4}$ ×	12,000
1018	72,000	= 6 ×	12,000
1018	10,500	= $\frac{7}{8}$ ×	12,000 paid by London

These figures are easily intelligible, regarded as the result of taxes levied on a number of districts that were all assessed at multiples of 1,200 hides. For, if all the districts combined contained  $100 \times 1,200$  hides, then a tax of 2*s*. on the hide would produce 12,000*l*., a tax of 3*s*. 6*d*. 21,000*l*., a tax of 12*s*. 72,000*l*., and so on. We have only to suppose, then, that the writer of the chronicle believed that England contained  $100 \times 1,200$  hides, and we can interpret his remark that in 991 the Danes took 10,000*l*. as meaning that in that year they demanded 20*d*. or 1 ora from each hide, and the statement that in 994 they took 16,000*l*., as meaning that in that year they raised their demands to 32*d*.

Interpreted in this way there seems nothing very unlikely in these two statements, nor, though it seems improbable, is it altogether impossible that the Danes should have gone on raising the rate of their exactions, until in 1018 they demanded the 12*s*. on the hide implied, on our hypothesis, by the sum of 72,000*l*. For the average hide seems to have been worth 1*l*. a year. A rate, then, of even 12*s*. would not mean much more than an attempt to appro-

priate half-a-year's produce, and it is as likely as not that the Danes asked for more than they expected to get.<sup>1</sup> The question, however, that interests us in all this is not so much the probability or improbability of these rates, as whether, supposing the figures in the chronicle were computed as we have imagined, there was any justification for the assumption that England contained 100 groups of 1,200 hides. In other words, can we see here a true indication of what the total of the West-Saxon hidage scheme had originally been, or only an extravagant fiction indulged in by the author of the chronicle? That the total was probably some multiple of 1,200 hides we have already shown. So far, then, the chronicler would be right. But was that multiple 100? It is very difficult to give any decided answer to the question. The hidages, as they appear in Domesday, of course, do not justify such a number. All told, they roughly come to about  $60 \times 1,200$  hides. But then it is equally clear that this was not the full complement. For Domesday tells us nothing of England north of the Tees. There is no reason, however, for supposing that these districts either escaped contribution or were treated leniently. On the contrary, were Bernicia assessed at anything like the same proportion as in the Tribal Hidage, its tale of hides must have been considerable. Then, again, there are nearly all the big towns to be accounted for, London, Winchester, Canterbury, Oxford, Gloucester, Exeter, and so on, and the chronicle itself is witness to the large amounts that were levied on such centres. Lastly, we have to reckon with reductions that may have been made before the date of Domesday in other counties similar to the one detected in Northamptonshire. Kent, for example, in 1086, seems to be absurdly under-assessed in proportion to its neighbours, while the County Hidage

<sup>1</sup> It must be admitted that the figures given for the London tribute in 1018 are quite unaccountable. Even if we suppose that London gelded at 1,200 hides, it would take a rate of 17s. 6d. to produce 1,050l., and the chronicle speaks of 10,500l. It is a somewhat remarkable coincidence that in the Tribal Hidage Hendrica and Essex, the two districts which immediately adjoin London, together have an assessment of 10,500 hides.

shows us Cheshire and Shropshire with double the number of hides attributed to them in Domesday. Putting all these things together, it is clear that the original total of the West-Saxon scheme may conceivably have come to  $100 \times 1,200$  hides, and that in any case it can hardly have fallen much short of  $80 \times 1,200$  hides. One is bound, however, to admit that the latter figure seems on the whole much the more likely of the two ; nor is it so very far off the 100,000 hides which the Tribal Hidage, in its unamended form, ascribes to Wessex, and which may have been accepted by the copyists because they thought it agreed with the hidage of the West-Saxon dominions in their own day. On the other hand, it is always to be remembered that the Tribal Hidage gives the still larger total of 154,000 hides, so perhaps there once was a time when the total for all England stood at the intermediate figure of 120,000 hides.

The questions that we set out to examine have now all been dealt with, but before concluding it will perhaps be as well to point out how large a modification will be needed in one generally accepted doctrine, if our theory of the development of the successive hidage schemes is to be accepted. The doctrine in question is the one maintained by Dr. Stubbs,<sup>1</sup> that during the early periods of English history 'the unity of the Church was the only working unity,' and 'that the Bretwalda never stood, as the Archbishop of Canterbury did, at the head of an organised and symmetrical system.' So far this view has never been challenged ; but if, as we have suggested, the Tribal Hidage dates from the early years of the seventh century and was the work of the Bretwaldas, then for this particular period almost the converse of these propositions might be maintained. For the system it reveals was certainly symmetrical and was intended to weld England into a single whole. Edwin, too, and Oswald and Oswy, all flourished many years before Theodore began the organisation of England ecclesiastically ; while a large part of their dominions was not even nominally converted to

<sup>1</sup> Stubbs, *Const. Hist.* ch. vi. § 68.

Christianity at the time when we suppose them to have levied their tributes. We must hold, then, that it was the State, and not the Church, that led the way in treating England as a unit.

In conclusion, let us say one word as to the way in which we ourselves regard our theory. We do not in the least claim that it accounts for all the facts quite satisfactorily, or that it has not to meet many difficulties which we have not had time to touch on, and we are fully aware that, at the best, it is based on some very large assumptions. We put it forward merely as a working hypothesis. But we do claim that the facts and coincidences we have brought to light, and the figures we have collected, do deserve attention; that in fact they form a new basis from which to approach the study of the hidage system; and that they will have to be reckoned with by any future inquirers who wish to deal with the question of the hides seriously.

## APPENDIX

### LIST OF THE HUNDREDS IN THE HIDATED COUNTIES

*N.B.*—In cases where the hundreds are reckoned as counting either more or less than 1, a number is affixed to the name showing the amount reckoned

#### SOUTH LANCASHIRE—6 hundreds

Blackebrune	Lailand	Salford
Derbei	Neweton	Walintune

#### NORTH WALES—4 hundreds

<i>Hidated</i>	<i>Not hidated</i>
Atiscros	Arvester
Exestan	Atiscros (Ruddlan)

#### CHESHIRE—10 hundreds

Bochelau	Mildestuic	Tunendune
Cestre	Risedon	Warmundestrou
Dudestan	Roelau	Wilaveston
Hamestan		

## SHROPSHIRE—15 hundreds

Basecherche	Lenteurde	Recordine
Condetret	Merset	Rinlau
Conendoure	Odenet	Ruesset
Culvestan	Ovret	Sciropesberie
Elnoelstruil	Patintune	Witentreu

## STAFFORDSHIRE—5 hundreds

Cudolvstan	Pircholle	Tatemaneslau
Offelau	Saisdone	

## WARWICKSHIRE—10 hundreds

Bedricestone	Fexhole	Patelau
Bomelau	Honesberie	Stanleie
Coleshelle	Meretone	Tremeslau
Fernecumbe		

## WORCESTERSHIRE—12 hundreds

Came	Dodintret	Oswaldeslau 3
Clent	Esch	Persore 3
Cresselau	Fisseberge	

## HEREFORDSHIRE—19 hundreds

Bromesesce	Naisse	Sulcet
Cutestornes	Pegelgete	Tornelaus
Dunre	Radelau	Traget
Elsedune	Stepleset	Ulfei
Greitrewes	Stradford	Wermelau
Hezetre	Stradel	Wimundstruil
Lene		

## GLOUCESTERSHIRE—39 hundreds

Bachestane	Derherst	Respigete
Begeberie	Dudestan	Salemanesberie
Bernintreu	Edredestan	Sineshovedes
Bernintone	Gersdones	Tedboldestan
Biselege	Grestestan	Tedenham
Blackelaw	Grimboldestowe	Tuiferde
Bliteslav	Holeforde	Wacrescumbe
Botelau	Langebrige	Westberie
Bradelege	Langelei	Witelei
Brictvoldesberg	Langetreu	Witestan
Celfledestorne	Ledenei	
Cheftesihat	Letberge	Berchelai <sup>1</sup>
Ciltenham	Pulcrecerce	Teodeschesberie <sup>1</sup>
Cirecestre		

<sup>1</sup> These two royal manors—the one containing over 100 hides, the other 95 hides—are not stated in Domesday to be hundreds, but they were always treated as such subsequently.

## OXFORDSHIRE—22 hundreds

NOTE.—In this county the *Domesday Survey*, for the most part, omits the names of the hundreds; but there are entries under the Crown Manors (*D. B. i. 154b*) stating how many hundreds were appendant to each, which give the clue to the number of the hundreds.

*West of the Cherwell*

Bampton . . . 2	} 11
Banbury . . . 1	
Bloxham . . . 2	
Shipton <sup>1</sup> . . . 3	
Wootton . . . 3	

*East of the Cherwell*

Dorchester . . . 1	} 5½
Headington <sup>2</sup> . . . 2	
Kirtlington <sup>3</sup> . . . 2½	
Bensington <sup>4</sup> . . . 4½	} 5½
Thame . . . 1	

## BUCKINGHAMSHIRE—18 hundreds

Bonestov	Essedene	Sigelai
Burneham	Lamua	Stanes
Coteslau	Molesoveslau	Stoches
Dustenberge	Muselai	Stodfald
Elesberie	Riseberge	Tichesele
Erlai	Rovelai	Votesdone

## NORTHAMPTONSHIRE—30 hundreds

Alwardslea	Hochelau	Spelchou
Andferdesho	Maleslea	Stoche
Claieslea	Narresford	Stodfald
Corbi	Neveslund <sup>2</sup>	Sudtone
Elboldestou	Niwebotlegrave <sup>1½</sup>	Tovecestre
Foxeslea	Optonegrave <sup>2</sup>	Waredone
Gisleburg <sup>1½</sup>	Ordinbaro	Wilebroc
Gravesende	Pochebroc	Wimareslea } <sup>1½</sup>
Hecham <sup>1½</sup>	Rodewelle	Colentreu }

## RUTLAND—2 hundreds

Wiceslea (East)	Wiceslea (West)
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## HUNTINGDONSHIRE—4 hundreds

Herstingestan	Normancros	Toleslund
Lectunestan		

## CAMBRIDGESHIRE—17 hundreds

Cestreton	Grentebrige	Staplehou
Chavelai	Norestov	Stou
Cildeford	Papesworde	Trepeslau
Eli <sup>2</sup>	Radefelle	Wedrelai
Erningford	Stanes	Witelesford
Flamingdic		

<sup>1</sup> Now the hundred of Chedlington.

<sup>2</sup> Now the hundreds of Bullington and Sotlaw.

<sup>3</sup> Now the hundred of Ploughley.

<sup>4</sup> Now the Chiltern hundreds of Ewelme, Benfield, Langtree, Lewknor, and Pirton.

## BEDFORDSHIRE—12 hundreds

Bedeforde $\frac{1}{2}$	Flittham	Stodene
Bereforde	Manesheved $\left. \begin{array}{l} \\ \end{array} \right\} 2$	Weneslai $\frac{1}{2}$
Bicheleswada	Odecrost	Wichestanestou
Bochelai $\frac{1}{2}$	Radborgestoc	Wilga
Cliftonc	Stanbruge $\frac{1}{2}$	

HERTFORDSHIRE—9 $\frac{1}{2}$  hundreds

Albanestov	Danais	Hiiz $\frac{1}{2}$
Brachinges	Edwinestreu	Odesci
Bradewatrc 2	Hertford	Treunge

MIDDLESEX—5 $\frac{1}{2}$  hundreds

Delmetone $\frac{1}{2}$	Ilelethorne	Osulvestan
Gara	Ihoneslav	Spelethorne

## NORFOLK—36 hundreds

Blafelda	Feorhou $1\frac{1}{2}$	Lawendic
Brodecros	Fredebruge $1\frac{1}{2}$	Lothninga
Clachelosa $1\frac{1}{2}$	Galgou	Mitteforde $1\frac{1}{2}$
Clavelinga	Gildecros	Norwic
Depwada	Grenehou (North)	Scerepham
Dice $\frac{1}{2}$	Grenehou (South)	Smatheduna
Dochinga	Grimeshou	Taverham
Ensford	Hapinga	Tedfort
Erpingaham (North)	Heinesteda	Tunestæda
Erpingaham (Suth)	Hersam $\frac{1}{2}$	Walesham
Flec (East)	Iholt	Wanelund
Flec (West)	Humiliart	

SUFFOLK—24 $\frac{1}{2}$  hundreds <sup>1</sup>

Babenberga 2	Cosfort $\frac{1}{2}$	Plumesgata
Biscopcs	Hertesmera	Risebruge
Blachebrune	Gepeswiz $\frac{1}{2}$	Sanfort $1\frac{1}{2}$
Blidinga	Lacforda	Stou
Bosemera	Losa	Thewardestreu
Brademera	Ludinga <sup>1</sup>	Thingehov
Carleforda	Ludingaland $\frac{1}{2}$	Waineforda
Claindune	Perreham $\frac{1}{2}$	Wileforde
Colenesse		

<sup>1</sup> Though Ludinga is never termed a half hundred, it is by far the smallest district in Suffolk. It appears probable from the geld assessments that it counted as slightly over a half hundred, and formed, with Waineforda, which is slightly under a hundred, a hundred and a half. If so, the total number of hundreds was 24.



## ESSEX—19½ hundreds

Angra	Frossewella ½	Turestapla
Berdestapla	Hidingaforda	Udelesfort (East)
Beventre	Herlava ½	Udelesfort (West)
Ceffeorda	Laxendena	Waltham ½
Celmeresforda	Melduna ½	Wensistreu
Clavelinga ½	Rochesfort	Witbrictesherna
Colecestra	Tendringa	Witham ½
Domwawa	Thunreslau ½	

## EAST KENT—4 lathes ; 40 hundreds

Adilovesbrige	Estrei	Piteham
Berham	Estursete	Prestetun
Beriscolt	Favresham	Rovindene
Beusberge	Feleberge	Roculf
Blacheburne	Forewic	Sandwice
Boltone	Fulchestan	Selebrist
Brige	Hame	Stotinges
Calehelle	Heu	Tanet
Cantuaria	Lamport	Therham
Certh	Langebrige	Werde
Cistelet	Moniberge	Wit
Cornelai	Newecerce	Wingeham
Dunehamesfort	Oxenai	Witestaple
Estraitea		

## WEST KENT—2 lathes ; 20 hundreds

Achestan	Helmestrei	Ostreham
Bronlei	Hou	Rovecestre
Broteham	Lavrochesfel	Summerdene
Ceteham	Litefelle	Tollentreu
Essamele	Litelai	Tuiferde
Grenviz	Medestan	Wachelestan
Haihorne	Middeltone	

## SUSSEX—6 rapes, 60 hundreds

Avronehelle	Burbece	Folsalre
Babinrerode	Colespore	Foxer
Baldeslei	Edluestone	Framelle
Benestede	Eldretune	Ghestelinges
Bercham	Eseburne	Ghidenetroi
Berie	Essewelde	Grenestede
Bexelei	Estocbridge	Hailesaltede
Bocse	Estrat	Hamesford
Borne	Estreu	Hamsfelde
Bosgrave	Eswende	Havochesberie
Botingelle	Falemere	Henbert
Bradfota	Flexeberge	Hertevnel

SUSSEX—*continued*.

Homestreu	Redrebrige	Summerlege
Isiwiridi	Reredfelle	Tifeld
Latille	Risberge	Totenore
Mellinges	Ristone	Wandelmeſtrei
Pageham	Sillentone	Welesmere
Pevenesel	Staneberge	Westringes
Poninges	Staninges	Wiledene
Prestetune	Stapleham	Windcham

## SURREY—14 hundreds

Amelebrige	Copededorne	Tenrige
Blacheatfelde	Ferneham <sup>1</sup>	Waletone
Brixiestan	Fingeham	Wochinges
Chercefelle	Godelei	Wodetone
Chingestun	Godelminge	

## BERKSHIRE—22 hundreds

Beners	Gamenesfelle	Riplesmere
Blitberie	Iilleslau	Rocherge
Borgeldeberie	Hornimere	Seriveham
Brai	Lamborne	Sudtune
Cerledone	Mercham	Taceham
Cheneteberie	Nachededorne	Wanetinz
Eglei	Redinges	Wifol
Eletesford		

## HAMPSHIRE—44 hundreds

A. *On the mainland*

Andovre	Egheiete	Neteham
Basingestoches	Esseborne	Odingetone
Bermesplet	Esselei	Odiham
Bertune	Evingare	Ovretune
Boseberg	Falelie	Portesdone
Bovre	Falemere	Rincuede
Broctone	Ferneham	Rodbrige
Bytlesgete	Fordingebrige	Rodedic
Ceptune	Holesete	Sirlei
Cillei	Manesbrige	Sumburne
Clere	Mantesberge	Ticefelle
Corondel	Mene	Waltham
Drochensford	Menestoch	Welford
Efedel	Miceldevre	

B. *In the Isle of Wight*

Bovecombe	Canborne	Hemreswel
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<sup>1</sup> Not stated by Domesday to be a hundred.

WILTSHIRE <sup>1</sup>—40 hundreds

Ailestebba	Crichelade	Selchelaia
Alwareberie	Dolesfeld	Stanford
Ambresberie	Domerham	Staple
Blachegrave	Donoworde	Stercheleia
Bradeforde	Dontone	Stodfald
Brenchesberge	Duneslawe	Suaneberge
Cadeworde	Ferstefeld	Thornegrave
Calne	Hechetredeberie	Thornehelle
Caninga	Melchesham	Warminstre
Cauduna	Mera	Wervedesdone
Cepeham	Ramesberie	Westberie
Chenewarestan	Rugeberge	Windredic
Chingbrigge	Scipe	Worde
Cicemethorne		

DORSETSHIRE <sup>2</sup>—39 hundreds

Aileveswode	Cuferdestrowe	Lodre
Albretesberge	Dorcestre	Morberge
Bedeberie	Etheminstre	Newentone
Beieminstre	Ferendone	Oglescome
Bere	Frontone	Pideletone
Bochene	Gelingcham	Pinpre
Brunchelle	Giochresdone	Redecham
Canendone	Goderonestone	Sexpene
Celeberge	Haltone	Sireburne
Celberge	Hanglega	Stane
Chenoltunc	Haselore	Tolreforde
Cœdene	Hunesberge	Winfrode
Concresdic	Langeberge	Witchirce

SOMERSETSHIRE <sup>3</sup>—59 hundreds

Abedicche	Blachethorne	Cainesham
Andretesfelle	Bolestan	Cantetune
Bade	Briwetone	Carentone
Betministre	Brunetone Regis	Cetdre
Bimestan	Brunetone Vicecomitis	Chinesmoredone

<sup>1</sup> See Exon Domesday, *D. B.* iv. 1-18.

<sup>2</sup> See Exon Domesday, *D. B.* iv. 18-26.

<sup>3</sup> See Exon Domesday, *D. B.* iv. 58, 67-75, 489. The list given on fol. 58 is by far the most complete, but it is not so early as the others, the modern names appearing in two instances instead of the Domesday ones. The chief changes are as follows: Axebrige for Cetdre; Betministre for Cainesham; Chori for Bolestan; Haretorne for Melborne; Stane for Givle; and perhaps Ascleic for Hareclive. If, on the contrary, these last two names are distinct, or if Chori (Curry Malet) was distinct from Bolestan, the total number of the hundreds would come to 60.

SOMERSETSHIRE—*continued*

Chiu	Hunespille	Sud Brent
Chori	Jatone	Sumertone
Cingesberie	Lidiart	Sut Peretone
Ciwetone	Lieget	Tantetone
Cluie	Lochesleie	Tintenelle
Congresberie	Maneheved	Walintone
Crice	Meleborne	Welle
Cruche	Mertoche	Welwe
Cudecome	Milvertone	Willetone
Cumbe	Monachetone	Winestoch
Dulvertone	Nort Chori	Wincantone
Frome	Nort Pedret	Winisforde
Givele	Pipeministre	Witestan
Hareclive	Porberie	Wyvelescombe
Hundesberie	Ringoldteswee	

DEVONSHIRE <sup>1</sup>—33 hundreds

Allerige	Dippeforde	Plintone
Axeministre	Esseministre	Scirewelle
Axemuthe	Framintune	Sud Moltone
Badentone	Hamioch	Sulfertone
Brantune	Halsbretone	Taintone
Budeleie	Hertiland	Tawentone
Cadelintone	Listone	Torintone
Carsewella	Mertone	Tuwertone
Chridiatone	Nord Moltone	Walchentone
Clistone	Officolun	Wenfort
Cullintone	Otri	Witric

CORNWALL <sup>2</sup>—7 hundreds

Cornaditone	Rilestona	Tibestene
Fawitone	Stratone	Winnentone
Pantone		

<sup>1</sup> See Exon Domesday, *D. B.* iv. 56, 59-68. In the list on fol. 56, Allerige is called Hermintone, and Nord Moltone Molland, but compare *D. B.* i. 101a, Molland. The *Domesday Survey* gives Taintone Hundred as Tenebrige, and Teignbridge is the modern name. The modern names are largely different from the ancient, e.g. Allerige = Ermington; Cadelintone = Coleridge; Carsewelle = Hay Tor; Dippeforde = Stanborough; Mertone = Shebbear; Officolun = Bampton (southern part); Sulfertone = Hayridge; Walchentone = Roborough.

<sup>2</sup> See Exon Domesday, *D. B.* iv. 65-67. The corresponding modern names are: Penwith; East Wivelshire; West Wivelshire; Pyder; Stratton with Lesnewth and Trigg; Powder; Kerrier.

## THE INQUISITIONS OF DEPOPULATION IN 1517 AND THE 'DOMESDAY OF INCLOSURES.'

BY EDWIN F. GAY.

*Read June 14, 1900.*

THE Royal Historical Society has already devoted much of its valuable space to the Inquisitions on Depopulation of 1517. In its 'Transactions' for three successive years, and in two extra volumes, Mr. Leadam has, with painstaking industry, edited and statistically exploited all that in 1897 was accessible of the Inquisitions. The initiative of the editor and the generosity of the Society must have their reward in the gratitude of all students of English economic history. A further investigation, however, into the inclosure movement of the Tudor period has brought new material to light, and raises questions which, from the importance of the subject, render advisable a critical review of Mr. Leadam's methods and conclusions.

It would be going too far afield to discuss at length in this paper the origin, development, and character of the so-called Agrarian Revolution, but it will be convenient to recall some of the steps which led up to the Inquisitions of 1517. It is the usually accepted view that the movement towards inclosure and conversion of arable land into pasture had its beginnings in the economic dislocation following the Black Death, and that its quiet but steady progress became more marked and its results more apparent in the latter half of the fifteenth century.<sup>1</sup> During the last quarter

<sup>1</sup> Cunningham, *Growth of English Industry and Commerce*, i. 361; Ashley, *English Economic History*, i. ii. 273; T. W. Page, *Die Umwandlung der Frohndienste in Geldrenten*, p. 36.

of the century complaint of the evil consequences of the new system found literary expression, and led to an attempt at legislative remedy. Two Acts, passed in the session of January and February, 1490, of Henry VII.'s third parliament, were among the first and most characteristic fruits of Tudor legislation. The first of these Acts,<sup>1</sup> inspired by those considerations of military defence which played so large a part in the whole course of Tudor agrarian policy, describes the Isle of Wight as 'late decayed of people' by the destruction of towns and villages through conversion to pasture and engrossing of farms, and limits to one farm, not exceeding ten marks in value, the amount which shall be held by any one man. This local Act was followed by a general Act entitled 'Against Pulling down of Towns,' or, as the Exchequer copy has it, 'For Keeping up of Houses of Husbandry.'<sup>2</sup> In familiar phrases, common to all the diatribes against inclosures from Rous to Bacon, the statute recites the evils arising from the 'wilfull waste of houses and towns . . . and laying to pasture landes whiche customeably have been used in tilthe,' and orders that all houses let or occupied within three years past, with at least twenty acres of land in tillage or husbandry, are to be maintained by the owners as houses of husbandry on pain of forfeiture of a moiety of the profits to the king, when he is the immediate lord, or to the next lord of the fee, until the decay be made good.

The Act was crippled from the outset by the ineffectiveness of the machinery for its execution. There was little likelihood that the ordinary officers of the crown, the sheriffs and the escheators, would enforce the law upon crown tenants. These officials were themselves in many instances notorious inclosers, and in any case were not prone to incur needless unpopularity.<sup>3</sup> It was, on the other hand, a naïve assumption, unwarranted by the facts, that a nobility and gentry

<sup>1</sup> 4 Hen. VII. c. 16.

<sup>2</sup> *Ibid.* c. 19.

<sup>3</sup> Sir Thomas Elyot, *The Governour*, 1531 (ed. Crofts, 1880), ii. 86, 87, 416, 417.

increasingly desirous of improved rents rather than of a numerous tenantry were innocent of offence in the matter of inclosures, and would be vigilant enforcers of the law. No evidence is as yet forthcoming of that energetic royal intervention by which alone the measure could have been made effective; and without this it is not surprising that the statute, like so many others, remained unexecuted. Parliament was accustomed to translate pious aspirations into statutes, and therewith rest satisfied. For an Act to become a dead letter was rather the rule than the exception, and so true was this that the chief grievance against Empson and Dudley was not so much for breaking the law as for putting it into harsh execution against classes long used to unpunished transgression.

While Dudley was awaiting in the Tower the usual reward of pre-eminent service to the New Monarchy he addressed to his young ruler a little treatise redolent of noble sentiments and good advice. From this we learn that Henry VIII. brought to the throne excellent intentions for reform in church and state.<sup>1</sup> Neither Henry nor his contemporaries, however, understood reform in the modern sense of the word. They had no conception of a forward social progress or of necessary economic change, and meant by 'reformation' a return 'to the old and good customs and constitutions'<sup>2</sup> of the past. This abhorrence of innovation, characteristic of mediæval life, and indeed of all custom-ruled society, goes far to explain the bitterness of the exaggerated contemporary complaints at any attempt to change the old agricultural system. But whatever of such backward reform Henry, in the intervals of court revels and foreign wars, may have intended, it was not until Wolsey's advent to power, and the breathing space afforded by the conclusion of peace with France, that any serious efforts were made.

Brewer assigns to the year 1514 two undated drafts of measures against engrossing of farms and conversion of

<sup>1</sup> Edmonde Dudley, *The Tree of Commonwealth*, ca. 1509 (Manchester, 1859), p. 3.

<sup>2</sup> *Ibid.* p. 62.

arable to pasture.<sup>1</sup> The second of these states as a motive for action the 'report of the Justices and Commissioners of the shires,' making complaint of a continued scarcity of grain, for which the changed methods of agriculture are held responsible. If the date is correctly assigned we may perhaps infer with Mr. Leadam that 'official inquiries had already been made.'<sup>2</sup> Early in 1515 an Act was passed against the 'pulling down of townes,'<sup>3</sup> which provided that houses of husbandry which had been decayed since the 5th of February, 1515 (the beginning of the parliamentary session), should be re-edified within one year after such decay, and the lands whose inclosure and conversion to pasture caused the decay be put again into tillage and husbandry. The penalty is the same as that imposed under the previous Act of 1490, with the addition of a clause providing that in case of failure of the next lord to take advantage of his powers under the statute within a half-year after the offence, the moiety of profits forfeitable by the incloser could be claimed by the next higher lord, and so on upwards to the king. This tacitly acknowledges the serious defect of the original statute, and would seem to indicate Wolsey's intention to extend the grasp of the crown to others than tenants *in capite*. A proviso was added excepting inclosures of parks and marshes from the operation of the Act, and limiting its continuance to less than a year. The statute was re-enacted almost verbatim the next year and made perpetual.<sup>4</sup> The only important alteration is in the clause assigning to the king or lords of fees the moiety of profits; here the words are added that this is to go to the king 'after office or inquisicon founden therof . . . or to the lords of fees . . . withoute office or inquisicon therof hadde.' Wolsey was apparently making his preparations for the decisive action which followed when in 1517 a commission of inquiry was

<sup>1</sup> Brewer, *L. & P. H. VIII.* i. 5727, 1 & 2. Of the two drafts the first is for an Act, the second for a proclamation.

<sup>2</sup> Leadam, *Domesday of Inclosures*, i. 7 (to be referred to here as *D. In.*)

<sup>3</sup> 6 Hen. VIII. c. 5.

<sup>4</sup> 7 Hen. VIII. c. 1.



directed into all except the four northern counties of England, to make inquisition and to report on the inclosures and the resultant decay of husbandry.<sup>1</sup>

In the absence of conclusive evidence it is idle to speculate on Wolsey's motives for taking this step. There is no ground for thinking that they were predominantly mercenary. Revenue, much as it was needed, seems to have played no leading part either as influencing Wolsey's treatment of the inclosures in the Chancery Court or as determining the course of the later proceedings in the Exchequer. In the Chancery reformation for the future, rather than fiscal exaction for the past, seems to have been the aim, and in the Exchequer the rule for these inclosure cases was ultimate dismissal.<sup>2</sup> How far reasons of state, of curbing the upper and currying favour with the lower classes, how far the humanitarian views of such men as Thomas More<sup>3</sup> may have swayed the policy of the minister, it would be difficult to determine. Whatever weight may be allowed to these considerations, a study of Wolsey's action deepens the

<sup>1</sup> *Pat. Roll*, 9 Hen. VIII. p. 2, m. 6 d.

<sup>2</sup> Mr. Leadam (*D. In.* p. 2) seems to discern the trail of finance over Wolsey's proceedings. He states that by securing writs of *supersedeas* inclosure offenders 'for the most part . . . relieved themselves from their obligations,' and conjectures that they thus redeemed 'their liability to an annual fine by the payment of a composition in ready money.' No evidence of such payments is adduced, and I know of none except Polydore Virgil (ed. Basle, 1555), pp. 664-5, who is followed by Herbert (in *Kennett*, ii. 40): 'yet (as *Polydore* hath it) divers, by compounding secretly with the Cardinal, exempted themselves.' But Polydore Virgil is notoriously prejudiced against Wolsey, and his testimony on this point is not conclusive. A search through several classes of Exchequer records of the period has hitherto failed to afford me any confirmation of the conjecture as to compositions. Certainly the writs of *supersedeas* on their face do not suggest collusive action. Of some 101 of these writs which I have counted in the Exch. Q.R. Mem. Rolls 39 are in temporary stay of proceedings in the Exchequer while the cases are pending in Chancery; in 25 the writ is granted on condition of compliance with the law in a specified time; in another 25 the defendants show on oath or by evidence that they had already obeyed the law. Only two highly placed offenders 'relieved themselves from their obligations' by showing cause why they could not conform to the requirements of the statute.

<sup>3</sup> Thomas More, from 1514 on, was rising high in estimation with Wolsey and with Henry VIII., but it was before the appearance of *Utopia*, in 1516, that Wolsey, as we have seen reason to suppose, was already preparing for action.

impression that now, as well as near the close of his career, he was sincerely desirous of a 'reform of the laws and customs of the country.'<sup>1</sup> It was sufficiently obvious that if anything was to be done to check the agricultural depopulation a strong royal commission would alone be efficient. For the appointment of such a commission, and for insisting that its labours should not be fruitless, Wolsey suffered contemporary odium.<sup>2</sup> But, to do him justice, through the whole Tudor period and beyond, his was the only honest enforcement of the law against what right-minded men held to be an intolerable evil.

An examination of the later measures against the inclosing movement only serves to emphasise the vigour of Wolsey's action. Under Edward VI. another commission was issued for the reformation of inclosures. John Hales, the Clerk of the Hanaper,<sup>3</sup> was its leading spirit, but interested and powerful opposition soon put an end to his zealous efforts. Edward's husbandry statute remained inoperative. There was another abortive commission under Philip and Mary, and another statute, so mild and so qualified that under Elizabeth it had to be declared worthless. But Elizabeth's three statutes and her commissions of inquiry were not much more effective. Following upon the inclosure outbreaks of 1607 and James's full-mouthed proclamations, renewed inquisitions of depopulation were returned to Chancery, and there left to moulder. A commission was appointed in 1618 to take compositions for offences under

<sup>1</sup> Brewer, *L. & P. Hen. VIII.* iv. ii. 4649.

<sup>2</sup> See the 'brief remembrance' of 1529 (Brewer, *L. & P. Hen. VIII.* iv. iii. 5750), where, among other charges, Wolsey is attacked for executing 'the statute of enclosing.'

<sup>3</sup> A study of the Hanaper Accounts, taken with some other contemporary documents, would break down the charge against 'Strype and all subsequent writers' of confounding the anti-inclosure John Hales of Coventry with another John Hales, Clerk of the Hanaper (*D. In.* p. 5, n. 1). As a matter of fact Mr. Leadam's two John Hales were one and the same person. While John Hales of Coventry was absent in Germany in the later years of Edward VI., and again as a refugee under Mary, his duties as Clerk of the Hanaper were performed by Thomas Cotton, his deputy.

the inclosure statutes, but in 1624 the greater part of this cobwebbed legislation was swept away by repeal. There was indeed in 1635 another sordid commission to compound with depopulators, but with this ends the century and a half of rhetorical complaint, futile proclamations, and half-hearted legislation. Wolsey alone had made earnest use of his power.

Wolsey's commissioners were appointed on May 28, 1517, and were to return their certificates into Chancery three weeks after the next Michaelmas. From August to October they can be traced in a number of the counties, collecting the presentments of the juries from the hundreds. Members of the same commission, together with some new appointees, were sent out again the following year into certain selected counties to gather supplementary information, and as late as May 1519, additional returns were being taken in Nottinghamshire. It is noticeable that the names of Roger Wigston and John Hales were constantly associated in all these later inquisitions. Wigston was apparently one of the most efficient of the old commissioners, while Hales, first appointed in 1518, had distinguished himself as escheator of Kent during the same year by a vigilance against inclosures very unusual in that office.

Of the returns made by the commissioners of 1517 an abstract, more or less complete, for ten counties is preserved among the Lansdowne MSS. at the British Museum. A brief synopsis of this was published by Schanz in 1881,<sup>1</sup> and ten years later Professor Ashley announced his intention of printing the document in full.<sup>2</sup> This, however, was undertaken by Mr. Leadam,<sup>3</sup> who in the course of subsequent researches in the Public Record Office was so fortunate as to recover the Chancery returns, in whole or in part, from ten counties, only one of which, that for Berkshire, had been

<sup>1</sup> Schanz, *Englische Handelspolitik*, ii. 671. Poulson, in his *History of Holderness*, had used the Lansdowne abstract for Yorkshire.

<sup>2</sup> Ashley, 'The Character of Villein Tenures,' in *Annals of the Am. Acad.* Jan. 1891, p. 11, n. 14.

<sup>3</sup> *Trans. R.H.S.* 1892-4.

found among the Lansdowne abstracts. These Chancery returns, together with some illustrative material<sup>1</sup> and with elaborate statistical tables, form the contents of Mr. Leadam's 'Domesday of Inclosures.'

Since this publication in 1897 additional returns, more or less fragmentary, from nine new counties, and from three counties already represented in the 'Domesday of Inclosures,' have been unearthed at the Record Office. To the total already published of some 670 entries, dealing with an area of over 44,000 acres, the new material adds over 500 entries and an area of nearly 18,000 acres. For three further counties, for which inquisitions are not yet found at the Record Office, the Lansdowne MS. furnishes 220 entries and over 13,000 acres. The activity of the 1517 commission is therefore now represented by returns for 22 counties, with some 1,370 entries and a round total of more than 75,000 acres. The supplementary returns made in 1518 and 1519 make no very considerable addition to the acreage affected by the inclosures.<sup>2</sup>

<sup>1</sup> The Chancery returns for Warwickshire in 1517, 1518, and the meagre results of the ineffective commission of 1549 for the same county, had been used by Dugdale in connection with data from Rous to describe the depopulation of some of the Warwickshire hamlets (cf. Dugdale, *Antiquities of Warwickshire*, 1656). Dugdale's own transcripts, now at Oxford, are printed by Mr. Leadam.

<sup>2</sup> In the following list of counties for which the returns made under the Inclosure Commission of 1517 are extant I have designated the eleven Chancery returns edited by Mr. Leadam in the *Domesday of Inclosures* by the letter D, the twelve in the Public Record Office, as yet unedited, by R, and the ten abstracts in the *Lansdowne MS.* by L.

Bedfordshire, R (and the supplementary 1518 return, D).	Middlesex, RL.
Berkshire, DL.	Norfolk, L.
Buckinghamshire, D.	Northamptonshire, D (1518, R).
Cambridgeshire, L.	Nottinghamshire, R.
Cheshire, D.	Oxfordshire, D.
Essex, D.	Rutlandshire, R.
Gloucestershire, RL.	Shropshire, RL.
Hampshire, RL.	Somersetshire, R.
Herefordshire, L.	Staffordshire, RL.
Leicestershire, D.	Warwickshire, D (1518, D from Dugdale's transcript).
Lincolnshire, DR.	Yorkshire, RL.

The Exchequer proceedings referred to below (p. 239) supply information as to other inquisitions taken in 1518 for Buckinghamshire, Derbyshire, Leicestershire, Oxfordshire, and in 1519 for Nottinghamshire.

There is a further and important source of information in the records of judicial proceedings based upon these Inquisitions. Mr. Leadam mentions two classes of such proceedings, the 'Chancery Summonses' and the 'Rolls of the Exchequer.' These together had furnished him with about 182 entries of inclosure cases. The former class, the Chancery Common Law Proceedings, were just coming to light when Mr. Leadam wrote, and now number 195 cases. They should be supplemented by over 50 entries on the Coram Rege (Rex) Rolls, in many instances simply repetitions of the Chancery proceedings, but often carrying the cases further. This does not by any means exhaust the rich quarries of the Record Office. The Patent Rolls yield little, but on the Close Rolls are entered 79 inclosers' recognisances. These are found only in the two years 1520 and 1526, the latter year marking the recrudescence of activity against the offenders presented in 1517.

The 'Exchequer Rolls' consulted by Mr. Leadam are found on examination to be those of the Queen's Remembrancer, one of the two series of Exchequer Memoranda Rolls. The inclosure entries here consist for the most part (about 80 per cent.) of writs of *supersedeas*. The other and much more important series, the Memoranda Rolls of the Lord Treasurer's Remembrancer, Mr. Leadam, curiously enough, failed to use. Next to the original Chancery returns these give by far the most valuable material for the study of the Inquisitions of 1517. Here the enrolment of the numerous writs of *scire facias* issued against inclosure offenders begins in the Easter term of 1518, while the records of cases heard before the Barons of the Exchequer commence a year later. Excluding all count of the writs there remain during the reign of Henry VIII. 423 entries of proceedings on inclosure cases; under Edward VI. 50 more are returned, 51 under Philip and Mary, 83 under Elizabeth; and when in 1599 the last case is reached there is a total of 607 entries, stretching over eighty years and representing the grist brought to the

slow mills of the Exchequer by the industry of Wolsey's commissioners.<sup>1</sup>

The bolting out of this mass of new material yields, as might be supposed, some interesting results. For the purpose of this paper, however, the later proceedings will be used merely to aid in the interpretation of one or two important questions raised by the discussion of the Chancery presentments. Their assistance will be the more welcome since the Inquisitions of 1517 offer many problems to the modern student anxious to use them for statistical purposes undreamt of by their authors. The statute itself, which the commissioners were to put in execution, was so difficult of interpretation, and their articles of inquiry so inadequate, as largely to excuse the legal imperfections of many of the extant returns. It is, at any rate, significant that practically but one set of commissioners was able, or painstaking enough, to send up presentments drafted with sufficient fulness to stand the later test of the courts. Even these, in some cases, needed revision in the supplementary inquisitions, and despite all this care legal flaws in the original returns were not infrequently discovered in the course of later proceedings. The whole series of husbandry statutes, beginning with our Act of 1490, were so difficult to work<sup>2</sup> that one is not surprised to find Coke rejoicing at their repeal, because 'they were so like labyrinths, with such intricate windings or turnings as little or no fruit proceeded from them.'<sup>3</sup> When, therefore, to the inherited intricacies of the

<sup>1</sup> The 607 entries on the Exch. L.T.R. Mem. Rolls do not represent an equal number of cases, since in these protracted proceedings the same case is often entered twice or even thrice, each entry carrying it a stage further towards its final dismissal. I have searched these rolls through from 1517 to 1615, but without finding any entries after 1599.

<sup>2</sup> In the Husbandry Acts of 1555 (2 & 3 Ph. & M. c. 2) and 1563 (5 Eliz. c. 2) the legislature is already struggling with one of the protean forms of the still unsettled legal question, 'What is a house?' 'Dyvers doubts and questions' had arisen under the Act of 1490 concerning the 20 acres of land necessary to a house of husbandry. The need of precision is felt again in 1598, for the Tillage Act of that year (39 Eliz. c. 1) attempts to define such a house.

<sup>3</sup> Coke, 3rd Inst. c. 97, p. 204 (ed. 1644).

Acts the Inquisitions of 1517 add disputable vagueness of their own, the modern student may well walk warily.

Mr. Leadam is not unmindful of the existence of difficulties of interpretation and tabulation, but it is precisely at one of the most important of these, where the characterisation of the entire agrarian movement is in question, and where cautious treatment would be most fitting, that he is most summary and positive. He assures us that when in presentments of the decay of houses of husbandry no mention is made of the conversion of arable land to pasture it is to be 'interpreted strictly as inclosures of arable, with the object of improved cultivation and nothing more,'<sup>1</sup> and he considers that there is ample support for this view in the text of the Inquisitions and of the Acts of 1490 and 1515. Statistically applied to the Inquisitions, this interpretation leads to the discovery that in some counties, notably Lincolnshire and Berkshire, of the total area inclosed between 1489 and 1517 the proportion of inclosure for high arable farming was so considerable as 40 and 60 per cent.<sup>2</sup> 'This is evidence,' says Mr. Leadam, 'of which there is abundance from other sources, that the agricultural revolution was not simply a movement of inclosure to pasture.' And as for the Acts, they, it seems, 'when compared one with another, afford the same indications as does the manuscript itself of the nature of the agricultural movement. It began with consolidation of holdings, having for object the prosecution of farming on a large scale,' and was followed almost a generation later by a 'subsequent movement of conversion of tillage to pasture.'<sup>3</sup>

<sup>1</sup> *D. In.* p. 37.

<sup>2</sup> The percentages of inclosures for arable husbandry, as given in Mr. Leadam's statistical introductions, are as follows: Warwickshire, 11·03; Leicestershire, 11·1; Northamptonshire, 13·5; Buckinghamshire, 18·4; Oxfordshire, 25·9; Bedfordshire, 31·3; Lincolnshire, 40·6; Berkshire, 61·04. 'In the Hundred of Compton (Mid-Berks), in which the largest area of inclosed land is returned, 70 per cent., and in the adjoining Hundred of Moreton 96 per cent., was inclosure of arable. In the Hundred of Hormer . . . all the inclosures were of arable' (*D. In.* p. 92).

<sup>3</sup> *D. In.* p. 8. But it appears that Mr. Leadam would not have us lay much stress on this apparently important generalisation as to the sequence of events,

If these results could be accepted it is hardly necessary to point out the considerable importance of this contribution to our knowledge of the Agrarian Revolution, but there are grounds for refusing to follow Mr. Leadam's reading of the returns.<sup>1</sup> The fact that this marked feature of the agricultural development seems quite to have escaped the attention of contemporaries might at the outset cause hesitation. Rous was writing his book, part fable, part history, and part anti-inclosure tract, at the time when this movement towards consolidation of farms for an improved arable husbandry was supposedly at its height. Yet he knew nothing of it, and from his time on the scholars, divines, and balladists, who, like him, inveighed against inclosures, had always in mind the

for he elsewhere remarks (*D. In.* p. 36) 'that the inclosure of arable was a movement contemporary with that of conversion to pasture,' while his own statistics do not bear out his assertion as quoted in the text.

Years	Inclosures for arable	Inclosures for pasture	Percentage arable of total inclosures	Percentage pasture of total inclosures
	Acres	Acres		
1485-90	368	3,706½	9·03	90·97
1491-1500	1,979½	9,655½	17·01	82·99
1501-10	3,935½	9,414	29·47	70·53
1511-17	3,595	7,667½	31·92	68·08

The table of the total progress of inclosures in the five principal counties (*D. In.* p. 41), with the addition of the percentages of the total inclosed area formed by the arable and pasture inclosures, shows that instead of an earlier movement towards arable inclosure, followed by a 'subsequent' and increasing movement of pasture inclosure, the order was reversed—if Mr. Leadam's figures are to be trusted. The data as to engrossings of farms are too scanty and conjectural to employ.

<sup>1</sup> Nasse, preceding Mr. Leadam, asserted in 1869 that the agricultural movement was not in the main to pasture farming; he, however, describes it as a change to a convertible husbandry (*E. Nasse, Feldgemeinschaft*, p. 61). The evidence adduced for this is inadequate, and Nasse's statement has been already questioned (Busch, *England unter den Tudors*, i. p. 390). Nasse's argument rests on the fact of the low corn prices for the period and the testimony of Fitzherbert and Tusser. So far as the former fact is valid it only shows that the exaggerated complaints of contemporaries have been misleading as to the extent of the inclosures; that, in fact, the corn-growing area was not very seriously affected. Fitzherbert and Tusser can scarcely be called to witness against the change to pasture-farming; cf. below, p. 243.



covetous landowners and rich graziers who 'made sheep to eat up men.' Contemporary accounts constantly associate the engrossing and inclosing of farms with their conversion into pasture. The very exceptions prove the rule. The Fitzherbert—probably John—who wrote the 'Boke of Surveying' (1523), John Hales (1549), and Thomas Tusser later in the century alone take pains to indicate any benefits which would spring from inclosures for arable husbandry, but even they write of such inclosure as of something exceptional or hypothetical or requiring earnest advocacy. In his *Discourse* John Hales makes his Husbandman complain of the notorious fact that by inclosures 'all is taken up for pastures ;'<sup>1</sup> and even when the speculative Doctor of the dialogue discusses the benefits of inclosing land 'to the intent to continue husbandrie thereon' he cannot refrain from adding the doubt that 'yf men weare suffered to inclose theire groundes, under pretence to kepe it still in tillage, within a while after they would torne all to pasture, as we see they doe now to fast.'<sup>2</sup> Along with such desirable but unaccustomed agricultural improvements as the revival of the use of marl Fitzherbert advocates the consolidation of the scattered strips of the old husbandry and their inclosure for arable cultivation. But this is not the wholesale engrossing of farms accompanied with the destruction of farmhouses and eviction of tenants which Mr. Leadam finds characteristic of the new arable farming. Fitzherbert's ideal is quite a different thing. His dream is of an amicable arrangement between lord and tenants, whereby not only every husbandman and possessor of common rights shall be secured in his holding, but every cottager shall have a croft, and 'never a house nor cotage to be decayed nor lette downe,' nor tillage to be diminished.<sup>3</sup> Tusser, in his zeal for agricultural reform, holds up Suffolk and Essex<sup>4</sup> as shining

<sup>1</sup> [John Hales,] *Discourse of the Common Weal*, ed. Lamond, 1893, p. 15.

<sup>2</sup> *Ibid.* p. 50.

<sup>3</sup> Fitzherbert, *Surveyinge*, cc. 40, 41.

<sup>4</sup> Tusser, *Five Hundred Points*, 1580 (ed. 1878), § 63. Tusser, like Fitzherbert, is not advocating farm engrossing and knows nothing of an arable husbandry which diminishes the employment of the agricultural population ; cf. *infra*, p. 247, n. 1.

examples of the advantages of the 'woodland' inclosed country, and has nothing too hard to say of the common field system ; but that this was stubbornly keeping its own, and arable inclosure the exception, is the tacit assumption of his book.<sup>1</sup>

All the legislation tells the same story. The centre of social interest lay in the preservation of husbandmen, who were the soldiers and taxpayers as well as the breadwinners of the commonweal. If by hateful covetousness they were driven from their homes, the State was disquieted by the resulting vagabondage and robberies of the individual or the riots of the mob. The stress of the Acts is always against the decay of these husbandmen's homes, but without exception this decay is associated with and ascribed to the engrossing of farms for pasture. The complaint in the Isle of Wight in 1490<sup>2</sup> is that by the taking into one man's hands of many houses and farmholds the Isle is made desolate and 'occupied wyth bestes and catelles.' The general Act of the same year opens<sup>3</sup> with a statement of the increasing enormities due to the 'pulling doune . . . of houses . . . and leying to pasture' of arable lands. We are not to understand the 'and' as distinguishing between two separate processes, a decay of houses for the purpose of arable husbandry on the one side and on the other a conversion to pasture, for the immediately following clause says that the consequence of the combined action is a depopulation which substitutes two or three herdmen for 200 husbandmen. The Acts of 1515 and 1516<sup>4</sup> in their preambles repeat the tenor and in the main the wording of the preceding Act of 1490, and in the enacting clause most unmistakably indicate the intimate connection between

<sup>1</sup> Among the broadsides in the possession of the Society of Antiquaries is one (no. 15) dated by Lemon as of the time of Henry VIII. It is entitled *Questions worthy to be consulted on for the Weale Publyque*, and one of the queries is 'whether every encloser compelled to have in tillage the thirde Acre so enclosed were more profytable for the commonwealth then to pull doune encloses.' To this advocate of inclosure for tillage the inclosures of the period evidently meant conversions of arable to pasture.

<sup>2</sup> 4 Hen. VII. c. 16.

<sup>3</sup> *Ibid.* c. 19.

<sup>4</sup> 6 Hen. VIII. c. 5 ; 7 Hen. VIII. c. 1.

the decay of houses of husbandry and the conversion to pasture. Mr. Leadam seeks to distinguish between these statutes and the earlier one,<sup>1</sup> but there is no distinction here discoverable between an earlier engrossing for arable cultivation and a later movement to pasture.<sup>2</sup> Of especial interest in this connection is the Act of 1536,<sup>3</sup> which, after reciting the Act of 1490, goes on: 'By reason of which said Statute and Ordynauce divers and many meases, whiche be holden immediatlye of the Kinges Highnes, within late yeres have ben buylded and reedified and *the Londes therunto belonging converted ayen into thir firste nature of tillage and husbondrye* according to the tenour and purporte of the said good and gracious acte, And all other suche Mease; and Landes as be holden immediatt of any other Lordes, be and remayne unto this present daye prostrate, unbuylded and *the landes therof converted and employed oonly into pasture and to none other purpose.*' The statute therefore gives direct to the crown a power of enforcing the penalty on all offenders. The sweeping statement in the above recital that *all* meases and lands in the hands of lesser lords are decayed and converted is manifestly absurd until it is read in the light of the Exchequer proceedings in the Lord Treasurer's Remembrancer's Memoranda Rolls. These show after the passing of this Act a revival of activity in the Exchequer Court, and many of the inclosure present-

<sup>1</sup> *D. In.* p. 8.

<sup>2</sup> The drafts assigned by Brewer to 1514 bring out clearly the close connection recognised by contemporaries between farm engrossing and sheep-farming. The draft Act (*S. P. Hen. VIII.* vol. ix. p. 262) inveighs against the gentlemen and 'manye merchaunts adventurers, Clothmakers, Goldsmithes, Bochers, Tannars, and other artificers and vnreasonable Covitous persons whiche doth encroche daily many fermes more than they can be able to occupye or maynteign with Tilt for corne as hath been vsed in tymes past,' and goes on to say that by such engrossings of farms ploughs and farmhouses are decayed, 'and no more parissions in many parisshe, but a nettard and a sheppard.'

The draft proclamation (*ibid.* pp. 264-5) sets forth that scarcity of grain comes 'not only by convertyng arable ground vnto pasture, but also by engrossyng of many fermes and tenements of husbondry ynto the handes and possession of a few couaytouse persones which for their owne particuler lucre neglectith tillage and only applyinge the lande bilongyng to the said fermes vnto pasturage and fedyng of catell suffrith the houses of the said fermes and tenements to decaye,' &c.

<sup>3</sup> 27 Hen. VIII. c. 22.

ments which had been lying in abeyance since 1517 were now, on the strength of the new statute, brought up for hearing. No other proceedings under this Act of 1536 can be traced. It may therefore be fairly inferred that the Act was especially designed for enabling the Exchequer to deal with those presentments of 1517-9 in which the offenders did not hold immediately of the crown. Crown cases had been dealt with, but the other inclosures returned by the commission were lying still unreformed and employed solely in pasture. It seems clear that to the authors of this Act these Inquisitions of 1517 dealt with decays of meses accompanied always by conversions to pasture. They would doubtless have been highly surprised at Mr. Leadam's confident assurance that their contemporary experience was quite at fault, that indeed, if they but knew their Berkshire, they would there discover over 60 per cent. of the inclosures presented in 1517 kept under high arable cultivation by enterprising landed proprietors.

A search through the remaining tillage statutes and through the extant proclamations of the Tudor period reveals no trace of this supposed phase of the agricultural movement. They persistently ignore the 'agricultural reformers,' and concentrate all their malediction upon the sheep farmers, who were destroying houses and depopulating the realm.<sup>1</sup> Yet, according to Mr. Leadam's interpretation, the Inquisitions show that his pioneers of high farming were guilty of these same offences, so detested by the nation. If they too destroyed houses and evicted tenants, why were they not censured, like their sheep-keeping neighbours? 'The new methods of arable cultivation,' Mr. Leadam tells us, 'involved a reduction in the number of persons employed,'<sup>2</sup> and thus an economy of labour rendered evictions of the superfluous population inevitable; but the sole contemporary authority cited in support is Fitzherbert, and Fitzherbert

<sup>1</sup> The *Acte concerning Fermes and Shepe* (25 Hen. VIII. c. 13), for example, makes complaint of the accumulation into few hands of 'great multitude of fermes . . . puttyng such londs as they can gett into pasture and not to tyllage.'

<sup>2</sup> *D. In.* p. 36.

expressly guards himself from making such a statement.<sup>1</sup> The contention must be documented by something better than a mutilated quotation.

It may be objected that the argument from the silence of contemporary writers and legislators, while worthy of serious attention, would not be conclusive as against the positive and explicit evidence of such witnesses as the commissioners of 1517. It is, in fact, in their Inquisitions that Mr. Leadam finds proof 'evident' and 'conclusive' of his thesis.<sup>2</sup> The evidence of the commission and the presentments must, therefore, be examined in detail. The commission<sup>3</sup> opens in the usual pathetic strain, and its complaint of the evils resulting from inclosures, except for a greater striving after literary effect, does not depart from the customary phrases of the statutes. Towns and houses of husbandry are destroyed, the inhabitants evicted, and the lands belonging to these depopulated towns and houses converted from tillage into pasture. The commissioners are directed to inquire what decays, conversions, and park inclosures had been made since the Michaelmas of 1489. For further instructions they are to consult an annexed schedule containing the articles of inquiry. There is in all this no hint

<sup>1</sup> In his *Book of Husbandry*, which preceded the *Surveying*, Fitzherbert, in advocating inclosure, had urged its advantage in saving to the husbandman the meat, drink, and wages of the shepherd, and the hire of the common herdsman and swineherd. When he repeated the argument in the *Surveying* Fitzherbert met an objection which apparently had been made by adding a passage, the most important part of which is omitted by Mr. Leadam (cf. *D. In.* p. 36). 'Peradventure some men would say that this shuld be against the common weale, because the shepe herdes, heerdmen, and swyneherdes shoulde than be put out of wages.' So far Mr. Leadam quotes; by some inadvertence he failed to note that the point of his citation is broken by Fitzherbert's next sentence: 'To that it may be answered, though those occupations be not used, there be as many newe occupations that were not used before. As gettyng of quyksettes, dicheing, hedging, and plashing, the which the same men may use and occupye' (*Surveying* (ed. 1539), fol. 59 d).

Tusser in his 'Comparison betweene Champion Countrie and Severall' (*Five Hundred Points*, § 63) vaunts that country 'where [arable] enclosure is most,' as giving 'more worke for the labouring man, as well in the towne as the feeld

<sup>2</sup> *D. In.* p. 37.

<sup>3</sup> Printed *ibid.* p. 81.

that the author of this important document knew of any other inclosure than inclosure to pasture. Among the recent finds at the Record Office are two copies of the articles of inquiry referred to in the commission.<sup>1</sup> Here in the twelfth and final article mention is made of the engrossing of arable land by gentlemen farmers. This, however, results in the laying down of ploughs and the desolation of houses, which, according to Mr. Leadam's own principles of tabulation, can only be interpreted as indicating conversion to pasture. This is his practice whenever he finds an entry of a plough put down,<sup>2</sup> and though such a criterion may not be entirely unexceptionable<sup>3</sup> it remains so far valid as to make it unadvisable to base on this passage any argument for the existence of inclosure for high arable farming.

Mr. Leadam cites for his purpose the general statements made by the jury or by the commissioners in the preambles and at the ends of their presentments. 'The juries,' he says, 'distinguish between "inclusiones terrarum arrabilium et convercio inde in pasturam animalium."'<sup>4</sup> Clearly this will not hold. The jury, with their crasser understanding of the agricultural change going on under their eyes, inserted an

<sup>1</sup> One of the schedules is attached to the returns from Hampshire, P.R.O. Misc. Rolls, Chancery, 1<sup>o</sup>. The articles of inquiry deal in the first place (Art. 1-6, cf. *infra*, p. 250, n. 1) with the decays of towns, meses, and ploughs resulting from inclosure to pasture. Articles 7-11 are for inquiry into imparcations. Article 12 runs, 'Item, what fermes of erable londe and pasture be taken by Gentilmen within the said Shire. And by reason therof how many plowes be decayed and laid downe. And what howses and inhabitacons be desolate by reason of the same. And what people be nowe lesse ther inhabyte then were afore the seid ferme takyng.'

<sup>2</sup> E.g. *D. In.* p. 402, n. 1, 'The putting down of a plough implies conversion to pasture.'

<sup>3</sup> Exch. L.T.R. Mem. Rolls, 20 Hen. VIII., Easter term, ro. 7, gives a case of the decay of a mese where its 30 acres of land are leased with another mese for arable husbandry and a plough is put down.

Among the recently found returns for Lincolnshire is an entry from Claxby of 'on fayer plow decayed and fallen down . . . and the land belonging unto the said house is as yet in tillage.' In this, as in others of these Lincolnshire entries, *plough* is synonymous with *house*.

These instances are very exceptional.

<sup>4</sup> *D. In.* p. 35.

'inde,' plainly linking, not dividing the two processes, inclosure of arable land and its conversion thence—that is, from arable into pasture. Mr. Leadam thrice insists that 'the "verdict of the jury" in the Lincolnshire returns in its preamble ignores conversion to pasture altogether.'<sup>1</sup> But this in reality the verdict does not do. The Lincolnshire preambles printed in the 'Domesday of Inclosures' recite curtly that the Royal Commissioners were appointed 'to enquire of Dekeys of houses, hamlettes, and arrable landes enclosed by hedgys, Dikes, or other Inclousours, and also of parkes new maid or enlargid.'<sup>2</sup> This in condensed form corresponds exactly to the order of the inquiries in the commission, and the 'Dekeys . . of errable landes' inclosed by hedges or any other means of inclosure are equivalent to the conversion to pasture of their instructions.<sup>3</sup> And the two preambles from the unpublished Lincolnshire returns mention the 'inclosure of arable lands into pasture' as the cause of the decay of towns and houses.

We come finally to the returns themselves. There has been, hitherto, no difficulty of interpretation. It has been plain that contemporary opinion, as expressed in literature, in the statute-book, and in this commission of 1517 itself, joined in a causal relation the destruction of the farmhouses with the spread of pasture farming. But in the Inquisitions this relation is not always so unequivocally expressed. In a considerable number of presentments the malfeasance explicitly stated is the decay of the mese alone. The acreage of the land appurtenant to the mese is given, but no mention is made of its conversion into pasture. Such entries of decay pure and simple Mr. Leadam tabulates as inclosure for the sole purpose of arable husbandry, and on

<sup>1</sup> *D. In.* pp. 35, 37, 245.

<sup>2</sup> *Ibid.* p. 248.

<sup>3</sup> The 'hedges, Dikes, or other Inclousours' obviously corresponds to the 'cum sepibus et fossatis aliisque clausuris' of the commission (*D. In.* p. 81), and are simply terms signifying different means of inclosure. Mr. Leadam erroneously co-ordinates 'other Inclousours' with 'Dekeys' and 'parkes,' and thus finds in them inclosures for pasture. See *D. In.* p. 37, 'inclosures for pasture being relegated to the head of "other Inclousours."'

the statistics so obtained bases a large proportion of his inferences and generalisations. But an examination of the returns soon shows that there must be another explanation of this omission more consistent with the facts of the inclosing movement as we know them from all other sources, and less productive of difficulties when we come to attempt deductions from the statistical tables. It is noticeable, in the first place, that both in the commission and the articles of inquiry, although the decays are certainly ascribed to the inclosures and the conversions to pasture, they are for convenience made a separate subject of investigation.<sup>1</sup> The commissioners in making inquiries under this heading might receive presentments of decayed meses, make returns of them into Chancery, and all parties concerned take for granted the unexpressed fact of the conversion to pasture. Furthermore the commissioners must have realised that though their instructions covered a wider field<sup>2</sup> the only offence under the Act was the decay of a house of husbandry to which at

<sup>1</sup> See *D. In.* pp. 81, 82 for the commission. The first four of the articles of inquiry bear on this point.

'Firste ye shall enquire what Townes, villages, and hamylettes have ben decayed and leide downe by inclosures in to pastures within the schires conteyned in your comission sith the iij<sup>th</sup> yere of the reigne of Kyng Henry the VII<sup>th</sup>.

'Item, what londe was thenne in tillage at the tyme of the seid inclosure and what was then in pasture.

'Item, how many plowes by reason of the same inclosure be leyed downe.

'Item, how many meses, cotages, and dwellyng houses be fall in decay and then habitauntis of the same be departed from ther inhabitation ther by reason of the same inclosures' (*Misc. Rolls, Chancery*, 1<sup>3</sup>). The 'same inclosures' are, of course, the 'inclosures in to pastures' of the first article.

<sup>2</sup> The commissioners following the articles of inquiry made return of a certain number of imparcations and engrossings of farms (*e.g.* in *Oxon.*, *D. In.* pp. 362, 375, 381, 382), but so far as can be discovered these presentments were followed by no prosecutions. There are likewise entries of conversions to pasture pure and simple, made apparently under the clause of the commission: 'Et quot et quante terre que tunc in cultura erant et iam in pasturam conuertuntur.' Whatever may have been the fact in such cases no mention is made of any resulting decay: and therefore when proceedings were undertaken demurrer was made that there was no case under the Act (*Chancery Common Law Proc. Hen. VIII.*, 3<sup>o</sup>, case of Abbot of Peterborough for conversion of 34 acres to pasture at Walton, Northants). The demurrer must have been held to be well taken, for in the long series of later Exchequer proceedings there appear no prosecutions on presentments of con-



least twenty acres of land were attached. The Act of 1490 fully recognised the connection in fact between this decay and the movement towards pasture inclosing, but in law only the result, the decay, was made a presentable offence. If this, the essential factor, were stated in the presentment, the juries and the commissioners might well deem it unnecessary in every case to mention explicitly the accompanying conversion. Irregular omissions of this kind would be the more likely to occur since no rigid form was required to be filled in; indeed attention to the phraseology and structure of the presentments shows everywhere 'the want of uniformity with which these returns were made.'<sup>1</sup> The returns are flexible in form and varied in phrase. The want of uniformity evidently did not distress the jury and still less the clerk who put the presentments into their final form. This compiler seems rather to seek variety of expression, intending apparently by such a harmless literary artifice to relieve the monotony of a long series of presentments. At any rate, whether the omission of the inclosure and conversion clauses be ascribed wholly to the jury or to the commissioners and their clerk as well, it is worth observing in this connection that the smaller cases are most frequently deficient in these particulars, while entries of large and important inclosures often appear to demand a large expenditure of phrase adequate to the enormity of the offence.<sup>2</sup>

version alone. They were sedulously avoided as being insufficient in law. But the commissioners had in the first instance cast their net wide, even, in some cases, going beyond their commission (cf. *D. In.* p. 291).

<sup>1</sup> *Ibid.* p. 241, n. 4, and see also Mr. Leadam's words in *R.H.S. Trans.*, 1892, p. 176: 'No form of return, with schedules specially arranged, after the modern fashion, was issued to the juries. Hence a considerable variation, not only in different counties, but in the several parts of the same county, in the expressions used, and in the amount of information rendered.'

<sup>2</sup> See, for instance, large inclosures, such as those in *D. In.* pp. 162-3, 429-30, *et al.* Mr. Leadam writes under Leicestershire (*ibid.* p. 241, n. 4) 'that all the larger areas are cases of conversion.' If the Northamptonshire entries be tabulated according to Mr. Leadam's principles the inclosures for arable average 36.1 acres, while those for pasture contain each on the average 95.2 acres.

As has just been mentioned the conversion clause is not the only one omitted ; the statement of the fact of inclosure is even more frequently absent. There are, for instance, in Berkshire 122 entries (excluding six of park inclosures), and only two of these are explicit as to the inclosure.<sup>1</sup> Yet from the terms of the statutes, the commission, and the articles of inquiry, we are justified in speaking of all these as inclosures. The case of conversion to pasture rests on the same basis ; constant reiteration of the clause in every presentment of decay was called for neither by law nor by the rules of good taste, but the fact was always assumed.

The interpretation here suggested finds abundant confirmation in the proceedings taken upon these presentments in Chancery and in the Exchequer. This confirmation might be furnished from the proceedings in other counties, but we shall confine our attention to some of the Berkshire cases, the county whose 61 per cent. of arable inclosure makes it Mr. Leadam's most conspicuous exponent of this hitherto unappreciated phase of agricultural history.

At Bastelden (Berks) John Bukeregge leased of John Koukfold one mese and twenty acres of land which were formerly tilled. On March 10, 1501, he caused the mese to be destroyed, thus depriving two persons of their dwelling. In this instance there is no explicit mention of conversion to pasture. It is, therefore, tabulated as an 'in-

<sup>1</sup> Though drawing such grave conclusions from the one omission in the returns, Mr. Leadam passes over this other more considerable omission of the inclosure clause without mention. And yet his maxim, 'expressio unius est exclusio alterius' (*D. In.* p. 21), might find here as valid application as he has made of it. Some, disregarding the obvious implications of the presentments, might tabulate all such entries as of decay only without inclosure or change of the old open-field system. They might adduce in support of their view such a case as that of John Goodwin at Woburn (Bucks), who is presented for the decay of a mese with 40 acres. Mr. Leadam enters this as an arable inclosure (*D. In.* pp. 185, 572), but John Goodwin explained in Chancery that the land was not inclosed, but 'kept in tillage, according to the custome of Chiltum Cuntrey,' while the house had been tenantless seven years 'because in wynter it is every flood a yard deep withyn the house of water' (Chanc. C. L. Proc. 3<sup>d</sup>). Mr. Leadam would be right in calling this an exceptional case, but his general argument for inclosure would tell also in favour of conversion to pasture.

closure of arable land with the object of improved cultivation and nothing more.'<sup>1</sup> The marginal note to this entry states that Bukeregge on affirming the repair of the mese obtained a writ of *supersedeas* in Chancery. In the Exchequer proceedings were taken on the case, and in 1523 John Bukeregge's plea is found enrolled in full. He declares that the mese was sufficiently rebuilt, and that the twenty acres were put into arable husbandry, 'in iconomiam posite,' on November 23, 1523, in time to secure himself under the Act of General Pardon of that year. Richard Lyster, as Attorney-General, on sufficient evidence acknowledges the plea true, and it is adjudged that the defendant shall go 'without day.'<sup>2</sup> This is a normal entry, and the plea indicates that, notwithstanding its omission in the presentment, there had in fact been a conversion of arable land to pasture, and that the charge of decaying the house was held to include the conversion. Why else should the defendant drag this irrelevant matter into his plea?

John Wylkelyn is presented as having at Greneham decayed a mese with twenty-six acres of arable land. According to his 'Principles of Tabulation' this is entered by Mr. Leadam in the list of inclosures for the purpose of arable husbandry. But in 1523 the person legally responsible for the inclosure tells the Exchequer Court that these twenty-six acres were put into arable cultivation before the previous Easter, and the house rebuilt on January 21, 1523, and consequently claims the protection of the general pardon of 1523. The case is finally dismissed in 1532.<sup>3</sup>

In the same year, 1523, another similarly tabulated case is heard, the decay of a mese with twenty acres at Southmorton. The defendant pleads that the inclosure was put down, and the twenty acres were restored, 'reverse,' to arable husbandry, and the mese rebuilt April 26, 1519. The case is dismissed *sine die*.<sup>4</sup>

<sup>1</sup> *D. In.* pp. 105, 502.

<sup>2</sup> Exch. L. T. R. Mem. Roll, 18 Hen. VIII., Hilary Term, ro. 7.

<sup>3</sup> *D. In.* p. 117; Exch. L. T. R. Mem. Roll, 15 Hen. VIII., Mich. ro. 70.

<sup>4</sup> *D. In.* pp. 143, 508; Exch. L. T. R. Mem. Roll, 15 Hen. VIII., Mich. ro. 63.

At Bucklond a lessee of the rector is presented as having in 1510 decayed a mese with sixty acres called 'the parsonage land.' Conversion to pasture is not stated, yet when the case comes up in 1543 plea is made that the mese was sufficiently rebuilt for use of husbandry, August 20, 1534, and the sixty acres then 'reconverted from pasture to arable.' The truth of this is confirmed by an Exchequer Special Commission.<sup>1</sup>

There are one hundred acres attached to a decayed mese in Farnham, which go to swell Mr. Leadam's 61 per cent. of arable inclosures for Berkshire. In the proceedings of 1539 the defendant's plea speaks only of the mese which he avers was sufficiently rebuilt and let with one hundred acres of land on August 12, 1518. The Attorney-General, John Hales, denies this plea of rebuilding *and reversion from pasture to arable*, and asks for trial by jury. The case is sent down to the assizes and there dismissed. It is clear that neither the defendant nor, as in this instance, the Attorney-General is aware of adding anything new or irrelevant to the presentment of the case.<sup>2</sup>

Omission of the conversion clause in the plea, even when it is inserted in the original presentment and in the writ, seems to be regarded with indifference by both parties to the suit. John Lee, at Wynkefeld, decayed a mese, and converted its twenty acres of arable land into pasture. In his defence he does not consider it necessary to pay any attention to the conversion clause, and says simply that the mese was sufficiently rebuilt for use in husbandry in 1519. Evidence is given in support of this plea, and in 1539 the case is dismissed.<sup>3</sup>

Legal proceedings taken in Chancery, as well as these in the Exchequer, show the same disregard for the distinction which to Mr. Leadam is so evident. The recognisances on

<sup>1</sup> *D. In.* pp. 141, 506; Exch. L. T. R. Mem. Roll, 35 Hen. VIII., Mich. ro. 10.

<sup>2</sup> *D. In.* pp. 122, 504; Exch. L. T. R. Mem. Roll, 31 Hen. VIII., Mich. ro. 21.

*D. In.* p. 130; Exch. L. T. R. Mem. Roll, 17 Hen. VIII., Hilary, ro. 40.

the Close Rolls invariably take for granted that the acreage returned with the decay meant land converted to pasture, whether so expressly stated in the return or not. The condition of the recognisance includes in every case the reconversion of the land to tillage. Where, on the strength of the omission of the clause, Mr. Leadam tabulates inclosure for arable, the careful wording of the recognisance pledges the incloser before a specified date to 'ayer or cause to be ayeryd and put in tillage' the land, as well as to rebuild and repair the mese.<sup>1</sup>

The view that the presentments of decay of houses of husbandry with appurtenant arable land were held to imply the conversion to pasture of the land finds further support in the Lansdowne abstract of the Berkshire returns. Here in every entry recur the words 'messuagium predictum prosterni et terram predictam in pasturam converti permisit.' Thirty-three of the corresponding entries in the Chancery returns omit this clause, and hence are described by Mr. Leadam as inclosures for arable. But though the compiler of the Lansdowne transcript had understood these same cases as conversions to pasture Mr. Leadam fails to explain this discrepancy otherwise than by a passing reference to 'the wholesale and, it is to be suspected, somewhat careless redaction' of the Lansdowne transcript.<sup>2</sup> The agreement, however, of this early document with the contemporary legal proceedings is scarcely to be disposed of by a charge of carelessness.

There remains in this connection one more point of detail. In the original presentment of an inclosure at Bray, Berkshire, the conversion clause has been erased, and this Mr. Leadam takes as 'conclusive' proof of his interpretation.<sup>3</sup>

<sup>1</sup> For Berkshire see the following instances, taken from the Close Roll of 12 Hen. VIII. (no. 388): Thomas Spicer in Stephyngton to put in tillage 40 acres before the following Christmas (entered as inclosure for arable husbandry in *D. In.* p. 506); the prior of Wallingford, 40 acres in Sotwell (*ibid.* p. 508); the abbot of Reading, 20 acres at Pangbourn and 30 acres at Tyleherst (*ibid.* p. 508).

<sup>2</sup> *Ibid.* p. 16.

<sup>3</sup> *Ibid.* pp. 37, 131.

We are fortunately relieved from speculation as to the reasons, clerical or other, of the erasure by the preservation of the Exchequer proceedings on this case.<sup>1</sup> The erasure had been made before 1540, for when in that year the first enrolment of proceedings on this return is found the clause is omitted in the recital of the Inquisition. Notwithstanding the omission the statement is made that proceedings are initiated under the Inclosure Act of 1535, because the mese still continues decayed, and the land (sixty acres) converted from arable to pasture. The defendant pleads that the mese was sufficiently rebuilt on February 20, 1535, and the sixty acres then reconverted from pasture to arable husbandry. The erasure was plainly looked upon as quite immaterial.<sup>2</sup>

To prevent misunderstanding it may be well in conclusion to observe that the argument as against Mr. Leadam's interpretation does not involve the denial of all inclosure for arable purposes at this period. It does state that no contemporary evidence has been found to support the theory of arable inclosure put forth by Mr. Leadam. The inclosures for arable farming advocated by Fitzherbert and Tusser were, as has been already mentioned, of a very different character. Inconsiderable in area, as they must have been, and inoffensive in their social effects, they formed no feature of the agrarian change which called forth the complaint and legislation already reviewed. The examination of the Inquisitions of 1517 discovers no adequate support for the theory of two parallel inclosure movements, one for pasture farming and the other for improved arable cultivation, accompanied by identical symptoms of social distress.<sup>3</sup>

<sup>1</sup> Exch. L. T. R. Mem. Roll, 32 Hen. VIII., Trinity, ro. 58.

<sup>2</sup> The case was dismissed in 1571 (Exch. L. T. R. Mem. Roll, 13 Eliz., Easter, ro. 22).

<sup>3</sup> There are a few instances in the Inquisitions of an inclosure or an engrossing where the land is kept in arable cultivation, and it is apparent that this seemed to the commissioners worth especial note. The number of unquestionable entries of this character is, however, so small as to be negligible. In Essex, at Moche Wygborow, 100 acres of ground, pasture and wood, were enclosed, 'and viii acars thereof of yerabyll lond . . . and the tillage of this lond left' (*D. In.*

That the destruction of farmhouses and the consequent agricultural depopulation were attributed alone to the movement towards pasture farming was the plain statement or the tacit assumption of contemporary literature, of the statutes, and of the returns made by the commission of 1517.

If this conclusion be accepted, a very large proportion of Mr. Leadam's statistical tables and inferences must become invalid. And if it seems regrettable that so much patient labour has been thus fruitlessly expended, it is nevertheless a relief to escape from the anomalies and statistical puzzles which those tables present. Before touching upon some of these it ought to be stated that the question of inclosure for arable farming, though the most important, is not the only point of text interpretation in which dissent from Mr. Leadam's views is provoked. For instance, his methods of tabulating farm engrossings and consolidations would need

p. 220). In 'le houbrig felde' of Chester little plots of land are interchangeably arable and pasture; a close of one acre at the time of the Inquisition was in arable (*D. In.* p. 642). In the two Norfolk cases (Parva Parlond, 12 acres, and Shotesham, 60 acres), where the inclosed land is kept 'in cultura,' the reason for the exceptional entry is carefully added: 'ratione dicte inclosure dicta villa omisit le shakke que solebat habere' (*R. H. S.* vii. 200, 202). A few loosely drawn presentments in the Essex and Lincolnshire returns are of doubtful interpretation. These, it is needless to add, were worthless for the purposes of the commission and could sustain no later proceedings. There are three entries in Warwickshire of decay and engrossing where the land is expressly noted as kept in cultivation (Dorsett, 22½ acres, *D. In.* p. 408, and Grafton, 30 and 60 acres, *ibid.* p. 405). The Exch. L. T. R. Mem. Rolls show proceedings on the last case only. Here the offender was dismissed on showing that the house had been rebuilt (33 Hen. VIII., Mich., ro. 24). See also the cases referred to above, p. 18, *n.* 3.

'There is a class of cases in which an entire area is returned, or some indication of its extent given, but only a specified portion of it definitely mentioned as having been inclosed' or converted to pasture (*D. In.* p. 21). The residue, about which the return says nothing, Mr. Leadam has, as a rule, 'entered as inclosed arable' (*ibid.*), a very questionable proceeding. One of Mr. Leadam's examples is the above case at Moche Wygborow, where certainly there can be no justification for entering the residue of 92 acres as inclosed arable; and in the other instances the undescribed residue of the incloser's holding might have been uninclosed arable land in the common fields, or it might have been pasture land. For examples of pasture forming a part of the inclosed holding see among others Dytton, Bucks (*D. In.* p. 183), Ashby de la Zouch, Leic. (*ibid.* p. 233), and Chilworth and Combe, Oxon. (*ibid.* p. 342).

sifting. There is, again, no sufficient basis for the distinction drawn between evictions and displacements from labour. The tabulation of many entries as inclosures to arable or to pasture is affected by an imaginary difference between two meanings of the word *iconomia*. Disputable minutiae are scattered numerously through the notes elucidating the text.

But rather than insistence upon such points of minor importance attention must be given to the use of the statistical material, once it has been garnered from the texts. The conclusions finally reached show such considerable inconsistencies and difficulties as would alone justify doubt as to the validity and adequacy of the statistics upon which they are based. The division of the inclosures into arable and pasture creates continual perplexities even to Mr. Leadam. He works out, for example, the relations between the decennial averages of wheat prices and the inclosures for arable cultivation. Many of the erratic combinations resulting from this comparison Mr. Leadam professes to explain; but when in Northamptonshire, in a decade of falling wheat price (1491-1500), inclosure of arable on lay land increases by 525 per cent., while the following decade shows a rising wheat price, declining arable inclosures on lay land (though 'ecclesiastical inclosures increased at the rate of 464·70 per cent. '), and a simultaneous falling off in inclosures for pasture, Mr. Leadam himself begins to suspect that in this instance at any rate his material may be inadequate, and finds that the figures are 'not very intelligible.'<sup>1</sup> When the final averages for the five most important counties are drawn up we are left with the generalisation that 'the fluctuations in the rise and fall of inclosures of arable do not correspond with the fluctuations in the price of wheat,'<sup>2</sup> for when arable inclosure falls 9·45 per cent. wheat rises 16·7 per cent., and when wheat falls 3·7 per cent. arable inclosure rises 437·77 per cent.<sup>3</sup>

The comparison of the decennial averages of wool prices with his statistics concerning the progress of inclosures for

<sup>1</sup> *D. In.* p. 262.

<sup>2</sup> *Ibid.* p. 39.

<sup>3</sup> *Ibid.* p. 41.



pasture in the period 1485-1517 brings Mr. Leadam into further difficulties. Thorold Rogers's decennial averages of wool prices show that in the second decade of our period (1491-1500) there is a rise of 28 per cent. A fall of 34 per cent. in the next decade is followed in the last (1511-20) by an upward bound of 47 per cent.<sup>1</sup> A connection would naturally be sought between such marked price variations and the fluctuations in the inclosures for sheep-farming. Mr. Leadam's investigation of this interrelation discovers that during the decade of cheap wool (1501-10), while prices were falling 34 per cent., inclosures to pasture were increasing in amount in Berkshire and Oxfordshire (even quadrupling in the former case), but not in Buckinghamshire, Northamptonshire, or Warwickshire. In the next decade, when wool advanced sharply in price, inclosure and conversion to pasture in Berkshire fell off some 212 per cent., and this 'disposition to lag in the rear of prices' is noted as 'very remarkable.'<sup>2</sup> A similar tendency is observed in Warwickshire, while in Buckinghamshire, Northamptonshire, and Oxfordshire it is only the ecclesiastical landholders who fail to take advantage of the favourable conjuncture. If the statistics were unimpeachable some explanation would perforce have to be found. The increase of inclosure for pastures in some counties, it would be argued, increases the supply of wool, and this supply overtaking demand results in depression of price. In other neighbouring counties the lower wool price simply becomes cause instead of effect, and the decrease in sheep-farming is easily explained,<sup>3</sup> while for the last period (1511-7) 'it can scarcely be doubted that the decline must have been connected with the legislation against inclosures, with this Inquisition, and with the subsequent proceedings against inclosers.'<sup>4</sup>

But before casting about for explanations, however plausible, it would be worth while to notice that in this comparison between the statistics for pasture farming and for wool

<sup>1</sup> *D. In.* p. 41.

<sup>2</sup> Cf. *ibid.* pp. 93, 153, 262, 322, 391.

<sup>3</sup> *Ibid.* p. 93.

<sup>4</sup> *Ibid.* p. 391.

prices the former are not the only questionable factor; the wool averages likewise will not bear testing. An analysis of the decennial averages of wool prices, so freely and unhesitatingly used by Mr. Leadam, furnishes an illustration of the manifold dangers which beset the statistician. In the chapter of 'Agriculture and Prices,' from which this set of averages is taken, Rogers gives some warning as to his wool prices for the whole period 1401-1582. He points out as the chief difficulties in their interpretation the variations in the value of the best local product, the scantiness of information, and the variety of weights and 'puzzling local measures.'<sup>1</sup> Rogers is sure that he can generally reduce these local variations to the common standard of a tod of twenty-eight pounds, but on examination this assurance is not always found trustworthy. The question of weights is troublesome. Rogers found twelve different wool measures in use, and no one of them a constant quantity.<sup>2</sup> The clove, it seems, is almost invariably 7 pounds, but once is used as equivalent to the tod of 28 pounds. The tod is 'always 28 pounds,' but elsewhere<sup>3</sup> Rogers admits that he has once found a tod of 14 pounds, and it was frequently 21 pounds. The *petra*, or stone, is the weight of most frequent occurrence and is subject to extraordinary variations. It may be anything from 7 to 21 pounds, and, to add to the confusion, 'in some cases two or even three [stones] are recognised in the same locality. Thus, for instance, there is a stone of 7, of 14, and of 16 pounds used at Gamlingay.'<sup>4</sup>

All this has a practical bearing on the interpretation of the wool averages of our period. Rogers fortunately prints in full his raw statistical material, and by reference to this it is found that the averages for the forty years from 1481 to 1520 rest on 83 entries of wool prices from 24 places. The weight used

<sup>1</sup> Rogers, *A. and P.* ii. 308.

<sup>2</sup> *Ibid.* ii. 337.

<sup>3</sup> *Ibid.* i. 367.

<sup>4</sup> This lack of any standard weight led to such precautions as those taken by Sir William Plumpton's servant when shipping wool to London in 1469. He wrote to inform his master 'that I have a counterpays wheith of the wheight stone that the wooll was weyed with, and that ye se that the stone be kept that the shipman brings' (*Plumpton Corresp.* p. 21).

is for the most part the stone, and there are a few instances of the use of pounds, tods, and sacks. Only once is the weight of the stone given in pounds; in the other entries a normal stone of 14 pounds is quietly assumed.<sup>1</sup> Rogers's authority must suffice for the reduction of the other measures used. The one exception where the weight of the stone is specified is at Sutton at Hone, Kent, where in 1516 a stone of 8 pounds is incidentally mentioned. Rogers elsewhere treats such an entry as giving the usual local weight, but here he regards it as an isolated case, and the three other wool sales at Sutton are tabulated as by the stone of 14 pounds. It so happens that this one interpretation quite appreciably affects the averages. Another doubtful point is the treatment of refuse or broken wool. Rogers appears somewhat arbitrary about it. In making up his yearly averages he rejects an entry of broken wool in 1486, but includes one in 1500. At Osney, near Oxford, there are sacks of refuse wool sold in 1510 and 1511. The sale of 1510 is included in the average; that of 1511 is excluded. Other details are arbitrarily handled. A sale in 1481 at Fotheringay, Northamptonshire, of 98 stones at 2s. 4d. is without explanation assumed to be by a stone of 7 pounds, instead of 14. At Stoke (in Essex?) in 1482 wool is sold at 5d. a pound, thus making the tod worth 11s. 8d., while at Sion, in 1507, a stone of wool sold for 11d., or 1s. 10d. the tod. Both are excluded, the one as too high, the other too low, for the average. In 1508 there is a sale at Cambridge which Rogers tells us is at 6s. 8d. the tod, but he enters it in his table at 3s. 1d. These details are important mainly as illustrations of methods of selection which appear to go beyond safe bounds. Of more importance is a study of the *provenance* of the entries. Eighty-five entries spread over forty years might give fairly trustworthy results in averages if they could be drawn in nearly equal proportions for each decade from the several wool-growing districts of England, or

<sup>1</sup> This is Rogers's constant practice, but it is perplexing to be told concerning the wool prices of this period that at most places the *petra* 'seems to be identical with the clove' (*A. and P.* iv. 309), and the clove is 7 pounds (*ibid.* ii. 337).

if they formed a continuous series from one typical district or place using the same weight throughout. Neither of these conditions is satisfied in Rogers's table of decennial averages. An examination of the data, arranging them on a rough geographical basis, brings out the fact that in the first decade a very cheap wool from the palatinate of Durham dominates the average; a preponderance of what may be called western wools at almost double the northern price raises the whole average for the second decade; the fall in the third decade is increased by the new appearance in the table of cheap wools from the south and east of England, and in the last decade the average is unduly raised by exceptional entries at Downham and at Sutton, with its dubious stone.<sup>1</sup> This study of

<sup>1</sup> DECENNIAL AVERAGES OF THE PRICES OF WOOL, 1481-1520.

Years	Rogers's average		Average for West England		Average for South & East		Average for North	
	Total No. entries	Price per tod	No. entries	Price per tod	No. entries	Price per tod	No. entries	Price per tod
1481-1490	16	s. 4 d. 8½	1	s. 4 d. 1*	2	s. 8 d. 2†	13	s. 4 d. 6½
1491-1500	16	6 0½	8	8 2½	4	4 7½	4	4 2
1501-1510	30	4 5½	4	8 1¾	16	5 1	10	3 10½
1511-1520	21	6 7½	2	9 3	15	7 3½	4	4 7½

\* One entry of broken wool, an inferior quality, at Coleshull (Cotswold).

† The average is increased by a doubtful entry at Stoke (Essex ?) at 11s. 8d. per tod.

Rogers's decennial averages are from his table in *A. and P.* iv. p. 328. The other columns, showing the prices as affected by the geographical distribution and the number of price entries upon which each average is computed, are compiled from the materials given in *A. and P.* iii. pp. 231-3.

What for convenience is called the western average is made up from the westernmost entries in Rogers's lists, and includes 11 from Oxfordshire, 2 from Wiltshire, 1 from Hampshire, and 1 from the Cotswolds.

The average for the south and east includes the following entries: Norfolk 9, Suffolk 1, Essex (?) 1, Kent 4, Sussex 1, Middlesex 8, Cambridgeshire 12, Northamptonshire 1.

The average for the north is based on 30 entries in the palatinate of Durham and 1 in Lancashire.

the figures would indicate as probable for the third decade (1501-10) a small sinking of prices with a good recovery in the fourth decade, but from the present scanty material it would not be safe to make positive generalisations. As an instrument of statistical measurement Rogers's table of wool price averages has, then, little value, and such use as that made of it by Mr. Leadam is surely unscientific.

This test of a statistical tool so largely employed by the editor of the 'Domesday of Inclosures,' will not be a useless digression if it warns against too hasty inference from an inadequate accumulation of evidence. Many of Mr. Leadam's conclusions provoke anxious doubts on this score. The character of many of the data has already been questioned. Even were they above suspicion, reasonable complaint could be made of their insufficiency in number to support wide generalisations. Take, for instance, the question as to the comparative character of ecclesiastical and lay landlords, the agricultural enterprise of the great religious houses and their relation to their tenants. This is 'one of the most interesting themes of discussion in connection with the history of landed tenure in the sixteenth century,'<sup>1</sup> and it would be indeed a valuable contribution to this discussion if from data furnished by the Inquisitions, such as the areas in different tenures, or the number of persons dependent upon a ploughland, any reliable estimate could be made of 'the standard of comfort on the two classes of estate.'<sup>2</sup> But what is the extent of the information available for forming such an estimate? Of the returns already edited, those from Essex, Lincolnshire, and Cheshire are acknowledged as too meagre to be of any service, while Bedfordshire is but little better. Leicestershire has seven entries of ecclesiastical inclosures, but the total number of entries of all descriptions is but thirty. There remain five counties to furnish the groundwork for generalisation. In none of these does the total area of inclosures returned by the commissioners reach two per cent. of the area of the county; for example, in Warwickshire,

<sup>1</sup> *D. In.* p. 93.

<sup>2</sup> *Ibid.* p. 393.

a fairly typical inclosure county, the inclosures of thirty years are but 1·6 per cent. of the county area. Of the ninety-seven entries in the Warwickshire Inquisition eight are of ecclesiastical inclosures. The six of these eight entries in which religious foundations are implicated deal with an area of something over six hundred acres. This is a little over one-thirtieth of the total acreage entered in the Warwickshire returns, and about one nine-hundredth of the county acreage. Such exiguous material seems scarcely a satisfactory basis for inferences as to the economic conditions prevailing at this period on the estates of the thirty-eight religious foundations of Warwickshire.<sup>1</sup> Seen in this light, unqualified statements as to the 'ecclesiastics of Warwickshire' in general become still more inadmissible; yet Mr. Leadam does not hesitate to make the conclusion, among others, that as compared with the lay proprietors of the county the ecclesiastical landlords, when once they embarked upon agricultural improvements, 'were the more thorough of the two classes in their methods.'<sup>2</sup>

For Berkshire the ecclesiastical entries are more numerous. Here 'the conduct of agricultural change on lay and ecclesiastical properties was practically indistinguishable,'<sup>3</sup> but ecclesiastical rents were the lower of the two, and thus the evidence 'proves exactly what would have been anticipated, and what after the Dissolution was constantly affirmed, that the great ecclesiastical corporations were, on the whole, less disposed than the lay landlords to regard landowning as a means of making money.'<sup>4</sup>

When the averages for Warwickshire and Berkshire are at last added to the dubious averages from Buckinghamshire, Oxfordshire, and Northamptonshire, Mr. Leadam comes to precisely the opposite conclusion. 'The figures,' he says, 'run counter to the tradition (probably accounted for by the rise of rents, due to other causes after the Dissolution) that the religious

<sup>1</sup> Tanner's *Notitia Monastica* (ed. Nasmith, 1787) names 38 religious foundations as certainly in existence in Warwickshire at this period.

<sup>2</sup> *D. In.* p. 392.

<sup>3</sup> *Ibid.* p. 94.

<sup>4</sup> *Ibid.* p. 96.

houses were easier landlords.'<sup>1</sup> Assuredly undigested and inconsistent generalisations of this kind do not inspire a sense of security.

The table of comparative rental values,<sup>2</sup> when studied in connection with the commentaries upon it and with the Inquisitions themselves, yields results of a similar unsatisfactory character. To take one of its many puzzles, it is not easy to understand why the ecclesiastical landlords of Oxfordshire, although more liberal to their tenants,<sup>3</sup> should become 'more ruthless than lay landlords in their treatment of the unfortunate tillers of the soil,'<sup>4</sup> and why their inclosures should 'show a greater tendency to pasture'<sup>5</sup> when they could obtain from arable inclosure 18 per cent. higher rent than from pasture.<sup>6</sup> The puzzle, however, disappears when one reflects that, quite apart from the misleading distinctions between arable and pasture inclosures, the seven entries upon which are based the statistics of arable rentals on ecclesiastical land in Oxfordshire are quite insufficient for safe induction.<sup>7</sup>

Those curious for further specimens of such work must be referred to Mr. Leadam's book. One more example will suffice here. A discussion of the energy in evicting shown by the different classes of inclosers<sup>8</sup> touches on the vexed question of the place of copyholders in the inclosing movement, and naturally attracts attention. A list is given in which 'the classes to whom the active work of conversion and clearance is attributed' are arranged in order, 'according to the degree of energy shown by them.' Here copyholders occupy a prominent and peculiar position. Copyholders on

<sup>1</sup> *D. In.* p. 65.

<sup>2</sup> *Ibid.* p. 62.

<sup>3</sup> *Ibid.* p. 325.

<sup>4</sup> *Ibid.* p. 324.

<sup>5</sup> *Ibid.* p. 323.

<sup>6</sup> *Ibid.* p. 326.

<sup>7</sup> For other 'remarkable results' in the rental statistics follow through *D. In.* pp. 64-71, 96, 156, 224, 265, 326, 393, 457. See, for instance, on p. 69, the table which 'yields the most remarkable result that the pasture of the county, which in 1450 produced the most highly valued wool, is of the lowest rental value, while its companion in the quality of wool, Oxfordshire, appears a poor fourth on the list.' A recognition of the thoroughly untrustworthy character of his statistical basis would have relieved Mr. Leadam from much ingenious but misdirected speculation.

<sup>8</sup> *D. In.* pp. 42-3.

lay land stand highest on the list, followed by farm tenants of ecclesiastical land. Well down in the series (sixth and seventh) come the much-maligned lay and ecclesiastical lords of manors. The shafts of contemporary abuse, it seems, were aimed wide of the mark. How should copyholders on lay land have escaped, as they did, so wholly free from blame? Surprise, however, deepens to amazement when at the foot of the list are found copyholders on ecclesiastical land and farm tenants of lay land. The two classes of tenants on the two classes of estates by some innate repulsion have sought opposite poles. Copyholders on lay land appear as the harshest evictors, while copyholders on ecclesiastical land are correspondingly merciful. But the fact that farm tenants reverse the order makes it hazardous to ascribe such conduct to the influence of ecclesiastical mildness of temper. Farm tenants on ecclesiastical land are severe, while their brethren on lay land are of all classes most humane towards 'the unfortunate tillers of the soil.' This concatenation strikes Mr. Leadam as 'curious and not very intelligible,' but if he had paused to remember that in all his printed material there are but twenty-five cases of copyholders presented as inclosers (twenty-two of them in the one county of Berkshire, two in Northamptonshire, and one in Bedfordshire) he would hardly have made a great class responsible for the vagaries of these few erratic members.

The tendency, indicated in this and other examples, of over-hasty generalisation upon an inadequate basis of fact is a fundamental fault of Mr. Leadam's editorial work. His services to students in the discovery and publication of the important Inquisitions of 1517 will always find due appreciation, but the methods of text interpretation and statistical inference employed in the 'Domesday of Inclosures' cannot be accepted.

It may finally be observed that, before undertaking an arduous computation of averages and an elaboration of results, it might well have been one of the first and most essential tasks to investigate the precise value, accuracy, and



completeness of the Inquisitions themselves. This would involve a discussion too far-reaching for a merely critical study such as the present. It must suffice here to indicate that general considerations as to the character of the local juries responsible for the presentments, and comparisons of these presentments with the corrections made both by the supplementary Inquisitions of 1518, 1519, and 1549 (for Warwickshire) and by the later legal proceedings tend to disillusionment concerning the reliability of these legal documents.<sup>1</sup> But the facts would not warrant going to the other extreme of sweeping scepticism; they rather excite admiration that under adverse conditions so much was accomplished by the commissioners of 1517. Their work, however untrustworthy it may be in details, gives us, if not a complete measure of the extent, at any rate a valuable index to the character and progress of the inclosure movement.

<sup>1</sup> Cf. *D. In.* p. 16, 'the diligent accuracy with which the Returns were made.'

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THE criticisms offered by Mr. Gay upon 'the Inquisitions of Depopulation in 1517'<sup>1</sup> and the 'Domesday of Inclosures' may be divided into two parts. Of these the first is a criticism of the method of tabulation observed by me in the 'Domesday,' according to which I class as 'inclosure of arable' such inclosures as are presented but not stated in the presentment either explicitly or by implication to have been accompanied by conversion to pasture. The rest may be grouped by themselves as criticisms of a miscellaneous character. The first part of these criticisms is obviously the one of substantial importance. If the Returns have been mis-

<sup>1</sup> This is Mr. Gay's designation. The marginal note to the commission runs, 'De inquirendo de villis et hamelettis prosternatis et inclusis et parcis elargatis.' *D. In.* p. 81.

interpreted, much of the statistical tabulation and many of the inferences are invalidated. Mr. Gay's assault is from two directions. In the first place, he roundly denies the existence of any movement towards inclosure of arable, at least on a scale worthy of mention. In the second place, he produces records of later legal proceedings for conversion to pasture where the returns have been read by me as intending to present cases of inclosures of arable.

'This marked feature of the agricultural development [i.e. inclosure of arable] seems,' says Mr. Gay, 'quite to have escaped the attention of contemporaries.' I had fortified myself with a quotation from the chapter in Fitzherbert's 'Surveyenge' intituled 'How to make a Township that is worth xx marke a yere worth xx li. a yere.' The passage quoted by me occurs after an exhortation by Fitzherbert to the inclosure of tillage: 'By reason of these closes he (the husbunde) shall saue meate, drinke, and wages of the shepeherde, the wages of the heerdman, and the wages of the swineheerde . . . and also his corne shall be better saued from eatinge or distroying with catel. For dout ye not but heerdmen, with their catell, shepeherdes with their shepe and tieng of horses and mares distroyeth moch corne the which the hedges would saue. Peraduenture some men would say that this shuld be against the common weale, bicause the shepeherdes, heerdmen, and swyneherdes shulde than be put out of wages,' &c. Here I stopped, the sequel being, to my mind, a mere apology: 'To that it may be answered, though these occupations be not used, there be as many newe occupations that were not used before: as getting of quyksettes, dicing, hedging and plashing, the which the same men may use and occupye.' As Mr. Gay noticed, this argument, justifiable perhaps during the comparatively short process of inclosing, was an after-thought appended in 'Surveyenge' to like advice in the Husbandry.' Why? Because the conversion of a township of twenty marks to a value of twenty pounds a year was to be effected by inclosure accompanied by the displacement of some of the inhabitants from their employment—an un-

popular and incidentally illegal proceeding.<sup>1</sup> Fitzherbert had a horror of unpopularity, and 'surveying' was a byword.<sup>2</sup> His prologue to 'Surveyenge,' solemnly disclaiming responsibility for the raising of rents as the result of reading his book, is in the same vein. But, Mr. Gay argues, Fitzherbert's 'dream is of an amicable arrangement between landlord and tenants, whereby not only every husbandman and possessor of common rights shall be secured in his holding, but every cottager shall have a croft.' Mr. Gay appears to have overlooked the second chapter of the 'Surveyenge' in which lords are advised to inclose their demesnes for tillage as well as for pasture. 'Experience showeth,' says an apologist for inclosures in W.S.'s Dialogue, 'that tennauntes in common be not so good husbandes as when cuery man hath his part in seuerall,' an observation which, as the use of the word 'husbandes' shows, is applied to arable inclosure.<sup>3</sup> What was true of inclosure upon a small was not less true of inclosure on a large scale, as Fitzherbert's chapter to the lords of manors indicates. It is further to be noted that Fitzherbert (ch. 40) advises the agriculturist in cases where the fertility

' Neyther maist thou enclose thy ground  
That thou mayst make it yerely more,  
For knowledge will teach the to seke  
Other mens wealth more than thine owne,  
And rather to fede on a leke  
Then one house should be overthrowen.'

'The Gentleman's Lesson' in Robert Crowley's *Last Trumpet*, Early Eng. Text Soc., Ex. Ser. iv. 92.

<sup>2</sup> 'Surveyors there be that greedily gorge up their covetous goods. . . . Honest men I touch not; but all such as survey, they make up their mouths, but the commons be utterly undone by them.'—Latimer's first sermon before Edward VI. March 8, 1549, Parker Soc. p. 102.

' A manne that had landes  
Of tenne poundes by yere,  
Surveyed the same  
And lette it out deare,' &c.

R. Crowley, *Of Rente Rayzers*, E. E. T. S., Ex. Ser. iv. 46.

<sup>3</sup> 'W. S. *A Discourse of the Common Weal of this Realm of England*' (ed. by E. Lamond), p. 60: 'The more doe occupie husbandrie, the more plenty of corne must nedes be;' p. 89: 'That should make husbandrie to be more occupied and grasenge less vsed.'

of the soil has been exhausted by corn crops produced in inclosed ground to 'breke and plowe up his close that he hade for his layse or the close that he hadde for his comen pasture or bothe and sowe them with corne.' In the case of large demesnes or large tenancies this would be inclosed arable farming upon an extensive scale.

In the Dialogue of W.S.<sup>1</sup> occurs the following passage: 'As I take, the raisinge of the prices of all vittailles at the husbandmans hand is the cause of the raysinge of the rent of his Landes; and that gentlemen fall so muche to take farmes into their owne hands, lest they be driven to by theire provision so deare; and that is a greate cause againe that inclosures is more vsed. For gentlemen havinge muche landes in theire handes and not being able to welde all, and to se it manured in husbandrie (which requirethe the industrie, Labor, and governaunce of a great many of persons), dothe convert most of that Lande to pastures.' I pause to note that although this process is said to have been accelerated by the rise of prices, it is not wholly ascribed thereto. The process described is exactly as I described it from my reading of contemporary sources—first, the engrossing of farms; secondly, their inclosure, partly to arable, still more largely to pasture.

Mr. Gay justly makes the point that whereas I state that the agricultural revolution 'began with consolidation of holdings' and progressed by a 'subsequent movement of conversion of tillage to pasture,' as a matter of fact my statistics of inclosure show that the proportion of land inclosed to pasture declined after 1490. My account of the sequence was based upon a comparison of the Isle of Wight Act of 1490,<sup>2</sup> which insists particularly upon the consolidation of farms, the proclamation of 1514 against engrossing farms, and the Act of 1515<sup>3</sup> which dwells upon the conversions to

<sup>1</sup> p. 100.

<sup>2</sup> I have cited the Acts of 1490 (4 Hen. VII. c. 16 and c. 19) in my *Domesday of Inclosures* as of 1489 because they appear in the *Statutes of the Realm* as 4 Hen. VII., i.e. 1488-89. Mr. Gay adopts the date 1490, which a note on p. 524 shows to have been the real date of their enactment. But Wolsey treated them, as I did, as belonging to 4, not to 5, Hen. VII. <sup>3</sup> 7 Hen. VIII. c. 1.

pasture. But, as Mr. Gay observes, the inference I drew from the statutes cannot stand in opposition to the figures I deduced from the returns themselves. The engrossing of farms and conversion to pasture proceeded synchronously.

It is not necessary to dilate upon the advantages of inclosure of arable. As Tusser says :

‘Good land that is severall crops may have three ;  
In champion country it may not so be.’<sup>1</sup>

The produce of inclosed land is

‘More plenty of mutton and beef ;  
Corn, butter and cheese of the best ;’<sup>2</sup>

where corn is certainly assigned to inclosed arable. We know from Fitzherbert that this was not a discovery of Tusser’s. Indeed, Nasse remarks that already, according to Tusser, ‘tillage was the rule on inclosed lands.’ Besides its augmented value to the incloser there was another reason why inclosure to arable was effected. According to an interpretation of the statutes acted upon<sup>3</sup> by the law officers of the Crown and by Wolsey in his proclamation of July 10, 1518,<sup>4</sup> conversion to pasture, even apart from the decay of a house, was illegal. But inclosure was advantageous, whether for the continuance of arable husbandry or as a step to conversion to pasture. ‘Yf men were suffered to inclose thaire groundes under pretence to kepe it still in tillage, within a while after they would turne it all to pasture, as we se they doe now to fast, the more is the pittie.’<sup>5</sup> And this was probably what Wolsey discerned when he issued his twelfth article of inquiry to the inclosure commissioners, printed by Mr. Gay : ‘Item what fermes of erable lande and pasture be taken by gentilmen within the said shire. And by reason thereof how many plowes be decayed and laid downe’ &c. That the decay of

<sup>1</sup> *Five Hundred Points of Good Husbandry* (ed. by W. Mavor, 1812), p. 36.

<sup>2</sup> *Ibid.* p. 205.

<sup>3</sup> *Domesday of Inclosures*, p. 57. Cf. Mr. Gay, p. 250, n. 2, *supra*.

<sup>4</sup> *Ibid.* p. 477.

<sup>5</sup> W. S. p. 50 ; cf. the above-quoted passage from p. 100.

ploughs was not exclusively confined to inclosure to pasture is shown by the case cited by Mr. Gay<sup>1</sup> of a consolidation of arable farms involving the putting down of one.<sup>2</sup> At any rate, the return of arable farms was ordered to be made by the inclosure commissioners. Further, the language of the Dialogue by W.S. already quoted, 'yf men were suffered to inclose,' points to active expression of the Government's disfavour towards arable inclosures.<sup>3</sup>

The practice of provisionally inclosing for arable cultivation with the ulterior view of conversion to pasture is the probable explanation of the discrepancy between the presentments as I read them and the prosecutions entered upon some years after adduced by Mr. Gay as evidence that my reading is incorrect.<sup>4</sup> Take his first case, of John Bukeregge. The proceedings, so far as Mr. Gay gives them, are quite consistent with a conversion to pasture subsequent to the date of the presentment. Indeed, the postponement of proceedings till 1523 suggests fresh action upon Bukeregge's part. The same remark applies to John Wylkelyn's case at Greneham, and to that of the Rector of Bucklond. The Farnham case favours my view. The defendant does not allege either that he has or has not reconverted from pasture to arable. The Attorney-General pleads that he has done so. The case for the Crown fails. This is what would have happened had my interpretation been correct. Mr. Gay's statement that in the pleadings of the case of John Lee of Wynkefeld 'he does not consider it necessary to pay any attention to the conversion clause' is not strictly correct, for the defendant pleads not merely that the mese was rebuilt, which would justify this

<sup>1</sup> P. 248, n. 3.

<sup>2</sup> I was aware in scheduling the statistics that the inference from the presentment of the decay of a plough, unaccompanied by further information that an inclosure to pasture was intended, is 'not entirely unexceptionable.' But my principle is justified by the fact that the laying down of ploughs is an article of inquiry complementary to the inquiry into inclosures to pasture.

<sup>3</sup> I am aware that the Dialogue was probably written some thirty years later than the commission of 1517, but it is common ground that Wolsey was the most strenuous combatant of inclosure.

<sup>4</sup> *D. In.* p. 57.

allegation, but that it was sufficiently rebuilt for use in husbandry, *i.e.* arable cultivation.

Of the cases cited by Mr. Gay as proving his contention three appeared to me to demand an inspection of the original MSS. Of these the first is John Goodwin's case (p. 252, n.) which I scheduled as an arable inclosure. John Goodwin, after describing the house, adds in his plea: 'And saithe also that the said xl acres lond is vused at this day & hath been contynually vused out of tyme of mynd in tillage accordyng to the custome of Chilturme country there with another ferme of the said John Goodwyns.' He explains, in fact, that this was really a case of the consolidation of farms; that the jury were wrong in presenting it as inclosure of arable; that it was, indeed, arable, but that it was not inclosed, but subject to the customary rights, *i.e.* the common rights, such as shack, obtaining in the country. The case seems clearly to justify my classification.

The second is the Bray case (p. 255), with which I deal presently. The third is the Southmorton case (p. 253). This is the case most favourable to Mr. Gay by reason of the short period of a year and nearly eleven months (August 26, 1519) which elapsed between the presentment (October 7, 1517) and the restoration to tillage, according to the plea of 1523. This is consistent with the land having been laid to pasture in the meantime, and the probabilities must be estimated from the general argument.

Until the history and purpose of the Lansdowne MS. of inclosures have been elucidated it is not altogether safe to draw conclusions from it. I was well aware of the formula charging conversion with which its entries concluded, so much so that, prepossessed by it, I at first tabulated the original returns upon Mr. Gay's principle until a closer acquaintance with them convinced me that it was erroneous. My impression of the Lansdowne MS. is that it is a list of Crown tenants selected as having been, at some time or other, guilty of the statutory offences and against whom proceedings were probably to be taken. Where this

document agrees with the contemporary legal proceedings the explanation already given applies.<sup>1</sup>

That the erasure of the count of conversion in the case of Bray, Berks, from the presentment must be abandoned as 'conclusive' proof of my interpretation in view of the subsequent Exchequer proceedings I admit. On the other hand, the Exchequer proceedings do not appear to carry Mr. Gay any further than his other cases: that is to say, they prove that eighteen years later the land was in pasture.<sup>2</sup> May it not be the case that the erasure was made by the law officer in whose hands the original presentment was placed, upon evidence<sup>3</sup> that it was at the time of that return incorrect, and therefore traversable by the defendant? As for other entries, such as that at Lekehamstede, the reader must decide whether general considerations point to 'harmless literary artifice' or the more solid reason of a difference in the facts as the cause of the change in the formula.

The Lincolnshire verdict which I cited as ignoring conversion to pasture altogether Mr. Gay reads differently. But his reading involves the introduction of an expression which I cannot recall having met with: 'Dekeys... of arrable landes.' The decay of houses, of hamlets, of towns, of ploughs, and of husbandry are all familiar expressions. Nor can the phrase be extracted by translation from the commission, as Mr. Gay maintains the words 'or other Inclosours' to be. But passing this by, what meaning is to be attached to the words asso-

<sup>1</sup> Mr. Gay speaks of the MS. as an 'early document.' In this he is mistaken, for it refers to Henry VIII. as 'nuper regis.' See *D. of In.* p. 98. My belief is that it belongs to the Hales Inquisition.

<sup>2</sup> The words of the record (Exch. L. T. R. Mem. Roll 32 H. VIII. Trin. 1viii.) are: 'Et quia predictum vnum mesuagium in Bray predicto in comitatu predicto ad dictum festum sancti Michaelis Archangeli quod erat in dicto anno MDxxxviii non reparatur neque reedificabatur nec adhuc reedificatur sed in decasu & ruina ad idem festum sancti Michaelis remanebat & existerat & adhuc remanet & existit & predictae sexaginta acre terre *adunc* a cultura & vsu Iconomie in pasturam convertebantur & vse fuerunt & sic adhuc remanent & occupantur.' The language is ambiguous, but the case certainly does not help Mr. Gay's main contention.

<sup>3</sup> The cases in the L. T. R. rolls show that evidence was taken by the Crown at the time of the later proceedings.



ciated by Mr. Gay, 'dekeys . . . of arrable landes enclosed' ? If, as Mr. Gay contends, this is the true reading, it points to the sequence I have already discussed, the inclosure of arable land followed more or less proximately by conversion to pasture. The small area of the Lincolnshire inclosures is distinctly favourable to my interpretation. To quote again the Doctor in the Dialogue of W.S.: 'Gentlemen havinge muche landes in theire handes, and not being able to welde all, and to se it manured in husbandrie (which requirethe the industrie Labor and governaunce of a great many of persons) dothe convert most of that Lande to pastures.'<sup>1</sup> Further, the variations in the Lincolnshire returns seem to demand some more substantial explanation than that they are the diversions of a clerk. Take these two successive examples: <sup>2</sup>

'Also thei say that the wardon of Tateshall haith enclosed by estimacion xiiij acres ground arrable in Mynnyngesby forsaide, and so haith vsed the same sith the xvij<sup>th</sup> yere of king henry the vij<sup>th</sup>.

'Also thei say that Iohn Standley of Stikford gentilman haith enclosed and laid to pastur an acre and a half of arrable ground in the same Town and haith vsed the same sith the xxij yere of the said king henry the vij<sup>th</sup>.'

Mr. Gay's contention that the mention of the fact of inclosure implies that the first of these entries describes the process set out in the second is an outrage upon language. As I interpret them, they are returns in conformity with articles 12 and 1 of the commissioners' instructions.

The answer to the objection that where conversion, but not inclosure, is presented, I have assumed inclosure of the area so converted to pasture, is that where conversion took place, the mention of inclosure is superfluous, since an increased profit derivable from pasture could, I apprehend, only be effected by means of inclosure, and except for profit this change would not be made. But, it is said, where a house is presented as decayed and an area specified, I have

<sup>1</sup> p. 100.

<sup>2</sup> *D. In.* p. 260.

not correspondingly assumed conversion to pasture as the cause. I have not: on this ground. The recital implies the area to have been originally arable, and there is no analogous compulsion of reasoning to necessitate the subsequent process of conversion.

Of the second part of Mr. Gay's criticisms, those on my statistics for Northants are largely *ad invidiam*. I am represented as 'beginning to suspect that my materials may be inadequate.' Twice on the page thus described I call attention to the paucity of data as not justifying large or positive inferences. Readers of the 'Domesday of Inclosures' will see that, where the materials are scanty, I constantly insist on the fact and do not designate as of a higher than indicative value generalisations so founded.

Mr. Gay takes exception to my record of the fact that whereas in Berkshire the rental values showed less disposition on the part of ecclesiastical than of lay landlords to regard land-owning as a means of making money, it was otherwise upon the average for the counties generally. That this is 'inconsistent' is rather the fault of the returns than of their editor. With regard to the suggestion that pains were not taken to ascertain the completeness of the returns, I have only to remark that until I pressed for a search for them they were not known to exist at all, and that at the time I produced the 'Domesday of Inclosures' I was assured by the officers of the Records that it was a practical certainty that no further returns would be forthcoming.

Mr. Gay's attack upon the tables of the late Professor Thorold Rogers is a plea for statistical nihilism. Statistical tables, where the material is published and is known to be incomplete, are in the nature of provisional hypotheses. As such I have availed myself of them. They furnish, so far as I am aware, the best practicable data from which to derive any conclusions at all with regard to medieval economy.

Having said so much by way of defence, I now turn to challenge my assailant. Nasse, arguing from other data, had arrived at results similar to mine except that the returns

of the commission 1517 show that, contrary to his conclusions, inclosed pasture generally predominated over inclosed arable. At any rate, in his view inclosures had in the sixteenth century 'obtained a decisive preponderance'<sup>1</sup> over the old open field system. The foundations of this judgment are to be found in the prices of wheat explained by what has been cited from Fitzherbert and Tusser. These prices per quarter, if I may be permitted to use the tables of Thorold Rogers,<sup>2</sup> were as follows :

	s.	d.		s.	d.
1481-1490 . .	6	3½	1521-1530 . .	7	6
1491-1500 . .	5	0½	1531-1540 . .	7	8½
1501-1510 . .	5	5½	1541-1550 . .	10	8
1511-1520 . .	6	8½			

I may observe upon these that the average of the decade 1511-20, the last decade immediately affecting the inquiry of 1517, was raised by the extraordinary scarcity of 1520, when the price rose to 9s. 4½d. After this it maintained a low level till the next famine year of 1527. Substantially the same tale is told by the prices of the other cereals. The rise of the decade 1541-50 was not confined to grain, and, as is well known, was due to various causes, and especially the debasement of the coinage. The figures ending with 1520, still more those ending with 1517, show that, if tillage was being superseded by pasture to the extent described by the legal draftsmen and contemporary writers, some counter agency must have been at work to maintain the wheat supply at a steady level of price. Mr. Gay should show what this agency was other than the increased fertility of arable land owing to inclosures. And this seems to be the conclusion of Busch, whom Mr. Gay cites as questioning Nasse's conclusion 'that the agricultural movement was not in the main to pasture farming.'<sup>3</sup> After mentioning the prices and the agricultural writers adduced by Nasse, Busch

<sup>1</sup> Nasse, *On the Agricultural Community of the Middle Ages* (Engl. Trans. 1871), p. 84.

<sup>2</sup> *Hist. of Agriculture and Prices*, iv. 288, 292.

<sup>3</sup> Mr. Gay in a note speaks of Nasse as 'preceding Mr. Leadam in this assertion.' It is not an assertion made by me except in the isolated case of Berkshire.

remarks: 'Alles das beweist aber nur, dass der Getreidebau trotz der Umwandlungen in Weide noch in einem dem Bedürfniss völlig genügenden Masse vorhanden war, und dass dies der Fall sein konnte, war wahrscheinlich schon die Folge der in den angeführten Schriften besprochenen Änderung der Bewirtschaftung, der Lösung von der Feldgemeinschaft, des Übergangs von der Dreifelderwirtschaft in die für England vernünftigere Feldgraswirtschaft und der dadurch gehobenen Ertragsfähigkeit des Bodens.'<sup>1</sup> Some figures recently published,<sup>2</sup> though not by any means conclusive, point in the same direction. These are the Staffordshire fines from 1327 to 1586. Our information as to the progress of inclosure in Staffordshire is at present very meagre, being confined to the selections of the Lansdowne MS.<sup>3</sup> The fines concern only manors or freeholds of manors; but we have no reason to believe Staffordshire to have been an exception to Fitzherbert's statement that 'the most part of the lordes have [*i.e.* prior to 1538] enclosed their demeyn landes and meadowes and kepe them in severaltie.'<sup>4</sup> On the contrary, Fitzherbert, who claimed forty years of agricultural experience, probably derived his generalisation in the main from Staffordshire and Derbyshire, on the borders of which counties his estate of Norbury was situate, being separated from Staffordshire by the boundary of the river Dove. And while his home touched Staffordshire on its north-eastern border, that of his second wife, Matilda, daughter and heir of Richard Cotton of Hamstall Ridware, was in mid-Staffordshire. Probabilities, therefore, point to the inclosure of a large, if not the largest, proportion of the lands mentioned in these fines, whether arable or pasture. From Miss Davenport's

I said of Berkshire that the proportion of inclosure of arable to inclosure of pasture was evidence 'that the agricultural revolution was not simply a movement of inclosure to pasture,' *D. of In.* p. 92.

<sup>1</sup> W. Busch, *England unter den Tudors* (1892), i. 390.

<sup>2</sup> *Quarterly Journal of Economics*, xi. 2, 208 (Jan. 1897).

<sup>3</sup> *Trans. R. Hist. Soc.* (1893), N.S. vii. 270-276. I am glad to learn from Mr. Gay's paper that the original Chancery Returns have lately been discovered in the Record Office.

<sup>4</sup> *Surveyenge* (ed. 1767 in *Certain Ancient Tracts*), p. 19.

tables I select the following figures, omitting those years too early and too late to throw light on this inquiry and the number of transfers.

Years	Acres of pasture per 1,000 acres of arable	Average		
		Pasture	Arable	Percentage Arable
1477-1496	589	1735	2941	62·8
1497-1506	623	889	1476	62·4
1507-1516	992	4845	4882	50·1
1517-1526	826	6274	7595	54·7

If there were evidence that the whole of these arable areas was inclosed, Nasse's proposition would be sustained that the predominance of arable cultivation improved by inclosure was the principal feature of the agricultural movement. What proportion of these areas was inclosed probably cannot be ascertained. It must have been a considerable proportion, if we are to believe Fitzherbert, and while, so far as they go, the figures contradict Mr. Gay's thesis of exclusive devotion to inclosures to pasture, they confirm up to a certain point the conclusions of Nasse derived from the contemporary prices of corn.

It is clear, if Mr. Gay's contention be correct and inclosures tabulated by me as arable were really inclosures of pasture, that there will be corroborative indications in others of the tables. The average rental values of the columns headed 'arable' and 'pasture' will be approximately the same; sometimes that of the so-called arable will exceed, sometimes fall below, that of the pasture. Now on p. 62 of the 'Domesday of Inclosures' I tabulated the rental values of inclosures of arable and pasture averaged for six counties. The rental values are divided under ten heads according to the tenures—viz. rental values of land in hands of lords of manors, of freeholders, of copyholders, of leaseholders, and of farm tenants upon lay and ecclesiastical estates respectively. Taking the average for the counties,<sup>1</sup> it is astonishing that by

<sup>1</sup> I deal with the exceptional rents for some arable in Berks and Beds presently.

a series of what Mr. Gay must, on his theory, hold to be ten successive and harmonious accidents the average rental value of pasture should exceed that of arable, which we know, as a fact, was usually the case. The chances against these uniform results, had these inclosures not been arable at all, I leave to mathematicians to calculate. But, Mr. Gay may reply, although this is the average result, the more detailed table on p. 64 shows that, in the case of Berkshire, the rental value of arable per acre is tabulated as 10 $\frac{3}{4}$ d. as contrasted with 7 $\frac{1}{4}$ d. for pasture where land was held in lay owners' hands, and 9 $\frac{1}{2}$ d. as contrasted with 6d. for pasture where it was held by ecclesiastical owners. This is another undesigned coincidence. It explains why 61 per cent. of Berkshire land was inclosed as arable. Again, Mr. Gay's theory is confronted by mutually confirmatory conclusions.

As the tables for Berks are the staple of Mr. Gay's impeachment, it is worth while to pursue the inquiry as to that county. If my tabulation is upon a radically false principle and the areas taken by me to be cultivated as inclosed arable were really all pasture, my description of the agricultural condition of the county as inferred from the returns will be wholly misleading. Fortunately we have data by which to form a judgment upon this important point. The following is the picture which my interpretation of the returns led me to draw.<sup>1</sup> 'Berkshire is remarkable for the large number of acres (4,068) inclosed as arable when compared with those (2,547<sup>2</sup>) acres inclosed as pasture, a proportion amounting to 61.5 per cent. This is evidence, of which there is abundance from other sources, that the agricultural revolution was not simply a movement of inclosure to pasture. On the contrary, in the Hundred of Compton (Mid-Berks<sup>3</sup>), in which the largest area of inclosed land is returned, 70 per cent. and in the adjoining<sup>4</sup> Hundred of Moreton 96 per cent. was inclosure of arable. In the Hundred of Hormer,<sup>5</sup> of which Abingdon

<sup>1</sup> *D. In.* p. 92.

<sup>2</sup> Including inclosures for parks.

<sup>3</sup> Slightly W. of the middle of the county.

<sup>4</sup> N.E. of the Hundred of Compton.

<sup>5</sup> N.N.W. of the county.

is the principal place, all the inclosures were of arable.<sup>1</sup> The largest percentages of inclosures to pasture are 50 per cent. in the Hundred of Ock on the Oxfordshire border,<sup>2</sup> 70 per cent. in the Hundred of Kintbury Eagle<sup>3</sup> towards the Wiltshire side, and 77 per cent. in that of Ripplesmere in the east of the county. There are also three Hundreds, all at the eastern end, from which no returns of arable are given.<sup>4</sup> Roughly speaking, the movement in Berkshire was towards inclosure of arable in the middle and north-west and inclosure to pasture on the other borders of the county and especially on the east.'

Let us see whether this description presents such a contrast to what is known of the agriculture of the county at various times as to beget a suspicion that Mr. Gay's plea for universal inclosure to pasture may be correct. In taking accounts of the county at different periods I must explain that I am availing myself of such sources of information as can be got. I am further justified by the fact that as the cultivation of a county is ultimately dependent upon its geological characteristics the general features of its agricultural condition will tend to be permanent.

'Dr. Beke<sup>5</sup> remarks that the cultivation of Berkshire at the time of the Domesday Survey was very considerable, particularly in all the parts west of Reading, as appears not only from the number of carucates . . . but from the great number and high annual value of the mills.'<sup>6</sup> By another of these coincidences which it is for Mr. Gay to explain the first ten of the areas I have inclosed as arable ranked in descending order of extent, are in the Hundreds west of Reading.

<sup>1</sup> They amounted, however, to only three inclosures of a total area of 184 acres.

<sup>2</sup> S. and S.E. of the Hundred of Horner.

<sup>3</sup> S.W. corner of the county.

<sup>4</sup> 'The character of the soil in the Eastern Division is considered poorer than in the West.'—*Encycl. Brit.* (ed. 1875), *sub* Berkshire. A large part was and is forest land.

<sup>5</sup> Professor of Modern History in the University of Oxford 1801–13.

<sup>6</sup> Lysons, *Magna Britannia* (1806), i. 190.

I extract a table of them from the larger table on p. 515 of the 'Domesday of Inclosures.'

Hundred	Areas inclosed as arable. Acres.	Hundred	Areas inclosed as arable. Acres.
Moreton . . .	930	Faircross . . .	276
Compton . . .	747	Theale . . .	250
Wantage . . .	378	Shrivenham . . .	220
Ganfield . . .	367	Hormer . . .	184
Ock . . .	320	Kintbury Eagle . . .	140

So far, then, the returns, as tabulated by me, roughly correspond to the character of the cultivation as it was in the time of Domesday. I come down to the account of a contemporary of the inclosing movement, John Leland. With the aid of the index to Hearne's edition I have looked up every place mentioned in the returns for Berkshire, and I transcribe all the descriptions I can find of the cultivation of the county. The only relevant passages I have lighted upon are three in number. They all refer to districts in the west of the county through which Leland rode from Oxford in a south-westerly direction by way of Lambourne to Wiltshire. His road took him through the Hundreds of Hormer, Ock, Wantage, Kintbury Eagle, and Lambourn. The passages are as follows:

Leland, 'Itin.' vii. fo. 77. 'From Oxforde to Hanney a 8 mils, a 5 mils by hilly ground well woodid & frutefull of corne.'<sup>1</sup>

*Ibid.* 'From Wantage a 6 mile to Chepinge Lamburne . . . by Hill well cornyd & some wodds.'<sup>2</sup>

Fo. 78. 'From Lameburne on to Ramesbyry Towne about a v mills, firste by champayne grounde frutefull of corne, then by Hills frutefull of wodd & corne.'<sup>3</sup>

This was between 1534 and 1543. Leland apparently found himself in just such an arable country as I have inferred from the returns, and not in the great tracts of inclosed

<sup>1</sup> Through the Hundreds of Hormer, Ock, and Wantage.

<sup>2</sup> Through the Hundreds of Wantage and Lambourn.

<sup>3</sup> Through the Hundred of Lambourn.



pasture broken by occasional arable contended for by Mr. Gay.

I come down to the description of Berkshire as it was in the beginning of this century (1806) communicated to Lysons by Dr. Beke and founded upon Rocque's map. Dr. Beke begins by taking a line (determined by geological considerations) from Oxford to Faringdon: that is, the north-west corner of the county south of the Thames, being the Hundreds of Hormer, Ganfield, and Faringdon. From this last Hundred, as from that of Lambourn, we have no returns whatever. 'This line of the county is in general very good, dry corn land, though in some parts too sandy. Gently descending from this to the south is the remarkably fertile vale of Berkshire which crosses the county from the parish of Shrivenham on the west to Cholsey on the eastern boundary. At present, as when the Domesday survey was taken, the western part of this vale is employed as pasture land, chiefly dairy, while the sides and eastern part are arable and may be reckoned some of the most productive wheat land in the kingdom.' Again we have the coincidence that this line runs through the Hundreds of Moreton, Wantage, and Shrivenham, of which Moreton and Wantage rank first and third in the extent of arable inclosures according to my tabulation. With the sheep walks along the chalk ridges of the Downs, which Dr. Beke next mentions, I am not concerned, since they have for the most part never been inclosed to this day. The vale of the Kennet to the south of the Downs is next described. 'The lower part of the vale is gravelly, but with some very fertile corn land, a deep loam easily cultivated.' This is in the Hundred of Theale. 'South of the Kennet, not far from Hungerford, there begins a tract of poor gravel and clay; at first, for many miles, very narrow, but becoming of considerable width in the eastern part of the county and continuing, with few interruptions, quite to Blackheath in Kent. . . . The southern part of the county everywhere passes through this line of coarse land, of which the greater part is uncultivated and produces little but heath.

A comparison of the picture drawn by me from the returns, as I read them, with this description of the county will at once show that each is justified by the other.

It is incredible to Mr. Gay that Berkshire should contain inclosures of arable amounting to 61·5 per cent. of the whole area inclosed. Upon the basis of Rocque's map Dr. Beke constructed a table of the agricultural condition of the county as it was a hundred years ago, as follows :

	Acres
The arable land in Berkshire amounts to about . . . . .	255,000
The meadows, in different parts, and dairy land in the vale . . . . .	72,000
Sheep-walks, chiefly uninclosed, on the chalk hills . . . . .	25,000
Other dry pastures, parks, &c. . . . .	25,000
Wastes, chiefly barren heaths . . . . .	30,000
Other space, occupied by buildings, courts, fences, roads, rivers, &c. . . . .	27,500
Total . . . . .	434,500

Of the above the first, second, and fourth items together represent an area of 352,000 acres. Of this area the arable item of 255,000 acres forms as much as 72·4 per cent., or ten per cent. higher than the incredible area extracted by me from the returns. If we take the history of agriculture in Berkshire a step further, to the earliest governmental statistics, those published in 1866, we find the same phenomenon, a large proportion of corn crops to the whole. The column (p. 312) gives the 'percentage of corn crops to total average under all kinds of crops, bare, fallow, and grass,' as 42·2 for Berks. The county in this respect ranks tenth out of forty-two English counties, counting Yorkshire as divided into three Ridings. But the introduction, since the sixteenth century, of 'clover and artificial and other grasses under rotation' has, of course, altered the proportions against arable. The comparison should rather be made between the total area under corn crops, and the total area of permanent pasture, meadow, or grass not broken up in rotation, exclusive of hill pastures.<sup>1</sup> The total area under corn crops is 146,844 a res; that under permanent pasture, meadow, or grass

<sup>1</sup> It is to its uninclosed Downs that Berkshire owes its numerous sheep.

96,264 acres. Curiously enough, this gives 60 per cent. arable to pasture or almost the same as my tabulation (61·5 per cent.) of the returns, as I read them, of 1517. And it is to be remembered that at both epochs arable cultivation was under some discouragement: in the earlier from the generally superior profitability of pasture farming; in the later from the competition of foreign imports.<sup>1</sup>

I pass back from Berkshire to the general question. The tabulated returns of page 67 of the 'Domesday of Inclosures' form another stumbling-block to Mr. Gay's theory. The table in question is designed to show the superior profit of inclosures to pasture as compared with inclosures to arable in seven counties. I have dealt with the cases of Beds and Berks, where we find the coincidence of a large proportion of arable inclosures and a comparatively less profit from inclosures to pasture. If all the inclosures were to pasture alike, how comes it that while these are the results at one end of the scale we find exactly correspondent results at the other—while Berks and Beds inclose arable because, as the tables show, it pays, Leicestershire incloses the greatest proportion of pasture and also, according to the tables, derives most profit from doing so? In Warwickshire, Northants, and Bucks, the profits appear to be at much the same rate, and the proportion of pasture inclosures also. But if my interpretation is imaginary, the profits and the proportions of pasture inclosed could not possibly have presented this symmetrical harmony.<sup>2</sup>

<sup>1</sup> I state in the *Domesday of Inclosures* (p. 64) that 'the figures for Beds are insufficient to form a judgment.' I do not go further, then, than to note the following curious coincidences. The table of average rental values on p. 67 shows that pasture farming was in that county less profitable than arable farming by 20·7 per cent. Berks furnishes the only other exception to the rule, the difference there being 13·8 per cent. In the proportion per cent. to total inclosures of those returned as arable, Beds with 31·3 per cent. follows the 61·04 per cent. of Berks. Now if we turn to the statistics of 1866, we find Beds ranking fifth, after Cambridge, Suffolk, Essex, and Huntingdon, from which counties we have no available sixteenth-century data, in the proportion of arable crops. The area of Beds under corn crops is 113,123 acres as compared with 67,874 acres of permanent pasture, meadow, or grass not broken up in rotation, exclusive of hill pastures, *i.e.* 62 per cent. This is *pro tanto* confirmatory of my reading of the Beds as of the Berks returns.

<sup>2</sup> I will forestall the criticism that the returns for Leicestershire should show a

Taken individually, each of the internal coincidences I have adduced may seem insignificant. That they can have been the outcome of a series of harmonious accidents is inconceivable. When tested by external evidence they find what appears to me adequate verification. It follows that the returns have been correctly interpreted as meaning what they say, and that the interposition, as in the case of Lekehamstede (Berks), of an entry of inclosure of arable (*terre arrabilis*) simply between two entries of inclosure of arable with the fact of conversion to pasture added was serious in intention and no 'harmless literary artifice.' Presentments by juries have from early times been a common method of invoking remedy for wrong. It may be that the proceedings by the Crown, following, as for the most part they did, intervals of some years, originated in revivals by grand juries at assizes of the presentments of 1517 with a count adding conversion to pasture where that had supervened upon the original inclosure. It may be that the count was added, upon information of subsequent conversion, by a law officer of the Crown. The hypothesis of Mr. Gay is the one least in accord with ascertained facts.

I. S. LEADAM.

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The criticism directed in my paper against Mr. Leadam's editorial treatment of the Inquisitions of Depopulation of 1517 is divided, as he observes, into two parts. The first touches on questions of interpretation fundamental to the statistical classification of the returns, and is chiefly concerned with his tabulation as inclosures for arable husbandry of those entries

higher percentage of pasture inclosed if it was to be proportional to the profits. I have pointed out in the introduction to Leicestershire (p. 222), that all the inclosures of arable were in one Hundred, and that the returns are incomplete. This fact points to the probability that the complete returns would show some higher percentage.

which explicitly present only the decay of houses of husbandry. It seemed necessary in the second part to utter a warning as to the inadequate statistical basis for many of Mr. Leadam's unguarded generalisations. I had no occasion or desire to give more than the few illustrations which, drawn as they were from the tables and inferences relating to his 'five principal counties,' seemed sufficient for the purpose. This part of my criticism, notwithstanding its independent and 'substantial importance,' Mr. Leadam does not attempt to meet in detail. It will therefore be unnecessary to add here more than an expression of dissent from his unwarranted assertion that his readers were constantly warned where the materials were so scanty as not to justify large or positive inferences.<sup>1</sup> His similar claim to have recognised a provisional and hypothetical character in Rogers's tables can only excite surprise. Rogers's wool-price averages, which I characterised as an unreliable instrument of statistical measurement, were employed by Mr. Leadam wholly without warning or question and with misleading results. My test of this one of Rogers's tables is not, as Mr. Leadam generalises, a plea for 'statistical nihilism,' but simply a plea for reasonable precaution in

<sup>1</sup> In his 'introductions' to the five principal counties Mr. Leadam gives no warning whatever as to the figures for Oxfordshire and Warwickshire. For Buckinghamshire the sole suggestion of 'paucity of data' is that 'the high average rental value of ecclesiastical pasture land let (1s. 1½d. an acre) must not be insisted on, because it is controlled by one case of letting at 2s. an acre' (*D. In.* p. 156). For Berkshire a warning is given as to one detail in the table of progress of inclosures, where Mr. Leadam describes as 'apt to be misleading' percentages of increase of 450 on lay land and 837·5 (!) on ecclesiastical land. The actual figures are for lay land a rise in the second decade from 40 to 220 acres, and for ecclesiastical land from nothing to 155 acres (*ibid.* pp. 93, 521). This appears even to Mr. Leadam sufficiently 'scanty,' but when in his general table (*ibid.* p. 41) he discovers for the same period a rise in arable inclosure of 437·77 per cent., 'so enormous a rate of progress' excites in him no suspicion of similar inadequacy of data, but is made to explain a fall in the wheat price (*ibid.* p. 39). For Northamptonshire, Mr. Leadam twice calls attention to the same detail, the small areas found 'inclosed to arable' in the table of the progress of inclosures (*ibid.* p. 262). Under the circumstances, therefore, after testing Mr. Leadam through pages fairly bristling with 'large or positive' inferences, based on insufficient or misinterpreted data, my comment that in Northamptonshire Mr. Leadam 'begins to suspect that his materials may be inadequate,' is, I consider, both justifiable and moderate.

examining the validity of averages before utilising them as 'provisional hypotheses.'<sup>1</sup>

It is, then, to the first part of my criticism, to the question of interpretation, that Mr. Leadam devotes his defence. The matter has a certain importance as affecting a large portion of Mr. Leadam's results and that view of the agrarian history of the period which would be deduced therefrom. It will be necessary, therefore, to inspect with some attention the considerations which he here advances in favour of his contention. Concrete examples of the presentments may assist in making clearer the point now at issue, and since Mr. Leadam twice appeals to the presentment for Lekehamstede (Berks), and asks for its comparison with the neighbouring entries (above, pp. 274, 286), it will be expedient to reprint in full both this entry and the one next following.

Et dicunt super Sacramentum suum quod Matilda Hatte nuper fuit et adhuc existit seisita in dominico suo vt de feodo de vno Mesuagio vocato Geffreys et triginta acris terre arrabilis et arrari consuete et seminacioni granorum apte et cum Mesuagio illo a tempore de quo non exstat memoria tradite et ocupate in lekehamstede in Comitatu predicto et sic inde seisitus vicesimo sexto die Februarii anno regni predicti nuper Regis quinto Mesuagium illud prosterni et destrui fecit et tenementa illa valent per annum decem solidos et ea occasione quatuor persone habitaciones suas alibi querere coacti sunt, etc.<sup>2</sup>

<sup>1</sup> In connection with his summary treatment of this second part of the general criticism, Mr. Leadam has misinterpreted a remark of mine as to the desirability of investigating the value, accuracy, and *completeness* of the Inquisitions (above, pp. 266-7, and Mr. Leadam's comment, p. 276). This had reference, however, as is indicated a few lines lower, to the possibility of forming some approximate idea as to how far the presentments gave 'a *complete* measure of the extent' of the inclosing movement in the counties for which the returns were already known. Mr. Leadam has taken the expression, I regret to see, as an imputation on the industry and enterprise shown in his work. These are not, however, the qualities which I impeach.

<sup>2</sup> I describe this Lekehamstede case and the seventy-seven similar entries in the Berkshire Inquisition as presenting the decay of a mese only. In so doing I take no account of the fact of eviction, since this was no offence under the statute of 1490. It was simply one of the accompaniments of the only offence punishable under that Act—namely, the decay of a house of husbandry having at least 20 acres. Legally speaking, the mention of evictions was superfluous, and was so treated in the Exchequer proceedings.

Mention of the decay of ploughs was likewise superfluous. Such mention of

Et dicunt quod Iohannes Norreys armiger nuper fuit et adhuc existit seisitus in dominico suo vt de feodo de vno Mesuagio et quadraginta acris terre arrabilis et arrari et cum Mesuagio illo locari et ocupari consuete in yatyndon in Comitatu predicto et sic inde seisitus decimo octauo die Iulii anno regni predicti nuper Regis decimo Mesuagium illud devastari et prosterni fecit terras que predictas sepibus inclusit et in pasturam animalium conuertit et sic ad presens vtuntur et ocupantur tenementa que illa vocantur Grouehouse et tenentur de domino Rege immediate et valent per annum decem et octo solidos per quod vnum aratrum deponitur et quinque persone a mansionibus et ocupacionibus suis ibidem priuantur, etc.<sup>1</sup>

Mr. Leadam describes the first of these cases, that of Matilda Hatte at Lekehamstede, as 'an entry of inclosure of arable (*terre arrabilis*) simply.' In connection with the latter phrase 'of arable,' upon which Mr. Leadam seems to lay stress, it may be worth while to remark in passing that in both the above entries and constantly elsewhere in the Inquisitions, as well when used in conjunction with the conversion clause as when conversion to pasture is not expressly noted, the words 'terre arrabilis' are obviously used merely to describe the parcel of land as it was before the offence, not after. But Mr. Leadam occasionally finds it convenient to take the phrase as if it read 'inclosure *for* arable.' Thus the Lincolnshire expression, 'dekeys . . . of errable lands enclosid,' he would read as meaning 'the inclosure of arable land [*for* arable husbandry] followed more or less proximately by conversion to pasture' (above, p. 275), whereas in truth the Lincolnshire jury were to inquire as to lands previously arable which by inclosure were decayed, *i.e.* converted to pasture. The inclosure of arable was used as synonymous with its decay or conversion. This expression, 'decay of arable land,' to which Mr. Leadam demurs as something unfamiliar to him, is analogous to the '*mesuagium et terre ille sic in ruinam conuerse*' of the Cranwell (Bucks) presentment,<sup>2</sup> which for the moment must have

decayed ploughs is found not only in conjunction with the conversion clause, as in the Yatyndon case here transcribed, but also with entries of the decay of a house alone.

<sup>1</sup> *D. In.* p. 109.

<sup>2</sup> *D. In.* p. 175.

escaped his memory. Mr. Leadam is positive again that the warden of Tattershall's case which he cites from the Lincolnshire returns<sup>1</sup> can only be understood as inclosure for arable cultivation. But it is more probable that the jury meant to present the warden as having inclosed 'ground arrable'—that is, ground previously arable—which he had since continued to use as an inclosure, presumably for pasture. In any case, however, Mr. Leadam's gloss on this somewhat ambiguous entry is inadmissible, since he is here citing to show the groundlessness of my general contention a presentment which is included in my note of exceptions to the general rule as one of the 'loosely drawn presentments in the . . . Lincolnshire returns . . . of doubtful interpretation' (p. 256, n. 3).

But reverting to Mr. Leadam's description of the Lekehamstede case, it is to be noted that he calls it an *inclosure*. Now the second case, that of John Norreys at Yatyndon, explicitly mentions the fact of inclosure; the first case does not. The offence presented at Lekehamstede is the decay of a house of husbandry only. Taking the entry simply as it stands, there is no compulsion of reasoning to necessitate the inference of inclosure. Matilda Hatte might well have found her profit in letting the house decay, and in keeping the land uninclosed as part of a larger holding in the open fields of the old arable husbandry.<sup>2</sup> But without explanation Mr. Leadam assumed the fact of inclosure here and in the seventy-seven other similar entries in Berkshire where the decay of a mese, without mention of any conversion to pasture, was the sole content of the presentment. There is no justification for this assumption of inclosure except on grounds which would equally warrant that

<sup>1</sup> 'Also thei say that the warden of Tateshall haith enclosed by estimacion xiiij acres ground arrable in Mynnyngesby forsaide, and so haith vsed the same sith the xvii<sup>th</sup> yere of king henry the viii<sup>th</sup>' (*D. In.* p. 260).

<sup>2</sup> Or the scattered strips of land might be, and at a later period often were, consolidated, severalled and kept in arable cultivation without inclosure. The fact is mentioned both by Pearce and Mavor (*General View of the Agriculture of Berkshire*, 1794 and 1808). See, for instance, 'the advantage resulting from inclosing, or at least severalling, common fields is so very obvious,' &c. (ed. 1794, p. 49).



of conversion to pasture of the acreage returned as appurtenant to the mese. Of these two analogous inferences he unhesitatingly adopts the one but rejects the other, and on this rejection builds up his theory of inclosures for an improved arable husbandry. Both assumptions, however, are not only equally warranted but equally necessitated by the terms of the statute and by the articles of inquiry<sup>1</sup> under which the commissioners worked. Mr. Leadam has not met, but evaded,<sup>2</sup> this argument from analogy, and he has not undertaken to deny the evidence of the articles and of the statute of 1490 with its successors of 1515 and 1535-6. It is necessary again to emphasise the fact that these explicitly and constantly connect the decays of houses of husbandry with inclosures and inclosures for pasture only. The evil struck at by the statutes and the commission of 1517 was the depopulation resulting from pasture farming.<sup>3</sup> They knew nothing of another parallel movement of inclosures for an improved arable husbandry producing, if Mr. Leadam's theory were to be trusted, the same evil on an even greater proportionate scale.<sup>4</sup> When, therefore, acting under instructions based in turn on

<sup>1</sup> See above, p. 250, *n.* 1, the fourth article of inquiry.

<sup>2</sup> He evades the argument by representing it as applying 'where conversion, but not inclosure, is presented' (above, p. 275). It applies, however, where decay of a mese unaccompanied by mention either of conversion or inclosure is presented.

<sup>3</sup> Hence the title 'Inquisitions of Depopulation,' which I prefer as at once more comprehensive and more manageable than the title which should in strictness be given—*i.e.* 'Inquisitions of Decays of Houses of Husbandry (and of Imparcations).' The Commission of 1517 sums up the evils of the movement as resulting 'in maximam desolacionem et dispendium regni nostri subditorumque nostrorum diminucionem' (*D. In.* p. 82).

<sup>4</sup> Mr. Leadam gives (*D. In.* pp. 44-47) a table showing for six counties 'the average evictions and displacements from labour on inclosed arable and pasture land.' Summing up the total of the county averages for all classes of inclosures, and taking an average similar to that employed in the table, it is found that the 'total average area of inclosed arable per person evicted and displaced' (column 4) is 8.12 acres, while the corresponding average for inclosed pasture is 11.06 acres. In other words, for every hundred acres of so-called arable inclosure 12 persons are evicted and displaced, but only 9 persons for every hundred acres of pasture inclosure. If Mr. Leadam's tabulation and results had any validity whatever, this would indicate that so far as the inclosures for arable went their social effect was considerably more deplorable than that of inclosure for pasture farming; but this is simply one of the absurd consequences of an erroneous interpretation.

a statute, both of which were clear as to the interrelation of these decays and pasture inclosure, the commissioners made returns of decay of houses alone, we are justified in assuming that these were decays as understood by the instruments from which they derived their authority. Since under the Act of 1490 the decay of the mese was the sole statutable misdemeanor, mention of the accompanying conversion to pasture was evidently superfluous. The omission of this fact by the jury or by the clerk responsible for the final form of the presentment was legally immaterial, although it was always tacitly understood and frequently expressed, particularly when inclosures from their size or importance required emphasis by fulness of detail in the presentment. We infer, therefore, that Matilda Hatte, as well as John Norreys, allowed her house to fall into decay as a result of the inclosure and conversion to pasture of its thirty acres of land.<sup>1</sup> We infer this because this was the only kind of decay recognised by the statute and by the articles guiding the presentment.

It was also the only kind of decay of which any trace is found in contemporary literature. This with its burden of complaint against inclosures for pasture farming is as silent as the statutes concerning that apparently more injurious inclosure for

<sup>1</sup> The reference for the final proceedings on the Lekehamstede case is Exch. L.T.R. Mem. Rolls 18 Eliz. H. T. ro. 57. The defendant there pleads that the mese was sufficiently rebuilt for use in husbandry (*iconomia*) and leased with thirty acres of arable land before Feb. 1 of 7 Edw. VI., and is therefore protected by the Act of General Pardon of that year. I take this as confirming the inference that the conversion to pasture of the land accompanied the decay of the mese and was tacitly implied in the presentment. From his comment on the case of John Lee of Wynkefeld (see above, pp. 272-3) I gather that Mr. Leadam would admit that the expression implied a reconversion of the land to arable. As a matter of fact, the phrase 'sufficiently rebuilt for use in husbandry' (*iconomia*) occurs in practically all the Exchequer (L.T.R.) proceedings taken upon the presentments of 1517, but I preferred in my paper to take my illustrations from the cases where the mention of reconversion was explicit and unmistakable and not a matter of inference. Mr. Leadam's acceptance of the '*iconomia*' clause as implying in the legal proceedings reconversion to arable supports the case as against his interpretation.

arable husbandry so constantly insisted on by Mr. Leadam.<sup>1</sup> The few references to arable inclosure are only by way of suggestion for a socially beneficial improvement or of allusion to districts in England where the open field system had been early modified or never adopted and where the old arable closes are not to be confounded with the inclosures of the new movement. Fitzherbert's well-meaning but speculative proposals, Tusser's strenuous advocacy—both desirating inclosure for arable husbandry—and Hales's casual mooted of its possibilities lend to Mr. Leadam's theory, not confirmation, but rather disproof. Quotations from these authors torn from the context or perverted by misinterpretation may seem for a moment to give support to his view, but the use made of them will not bear inspection.<sup>2</sup>

<sup>1</sup> It is to this constant insistence in his tabulations and inferences on the theory of arable inclosure that I had reference when I coupled Mr. Leadam's name with that of Nasse in the somewhat compressed note (p. 242, n. 1) to which Mr. Leadam takes exception. From his percentages of inclosures for arable husbandry, quoted by me on the preceding page (p. 241, n. 2), it would be evident that he does not go so far as Nasse as to their extent.

<sup>2</sup> Space does not permit the analysis in detail of Mr. Leadam's quotations. I need to deal only with the more important of them. He says that the inclosure recommended by Fitzherbert was to be 'accompanied by the displacement of some of the inhabitants from their employment—an unpopular and incidentally illegal proceeding' (above, p. 268). Fitzherbert's scheme of an equitable inclosure by common agreement, by which no husbandmen were to be displaced (at most a few herdmen to suffer change of employment) and no houses to be decayed, could have been, were it put in practice, neither illegal nor unpopular. Each tenant was to consolidate his scattered holdings into six closes which would permit a convertible husbandry, a shifting back and forth from pasture to arable and from exhausted arable to pasture. This is a proposal for arable inclosures, but not at all for such as those Mr. Leadam professes to discover in the Inquisitions of 1517.

It was Fitzherbert's idea to protect and benefit both husbandmen and cottagers as a compensation for the advantage to be gained by the lord through inclosure of his demesne lands. In the second chapter of the *Surveying*, Fitzherbert advised careful inquiry as to whether these demesne lands lay in intermingled strips or in larger parcels by themselves. In the former case it was 'convenient' to keep them in arable open-field cultivation; in the latter case while stating the lord's right to inclose whether for arable or pasture Fitzherbert intimated that inclosure for pasture was the more profitable course to follow.

Mr. Leadam thrice uses a passage from Hales's *Discourse* ('Dialogue of W. S., p. 100) as supporting his argument for inclosure to arable (above, pp. 270, 271 n. 5, 275); but when Hales's argument is examined it will be seen that he uses 'inclosure' here in the sense of inclosure of open fields for pasture only

But if in the presentments of 1517, conversion to pasture, even where unexpressed, was tacitly understood, we ought to find some evidence of this tacit assumption in the many documents which trace their source to these presentments. Here and there the fact unexpressed in the original presentment is likely to be mentioned. This expectation is realised. In the Lansdowne abstract of the Berkshire returns—not the late work of a generation ignorant of the character of these returns, but an early document contemporary with the inclosing movement—the fact of conversion to pasture, implied in entries of decay, is explicitly mentioned not once or twice only, which might have been due to ‘careless redaction,’ but constantly. For the evident conclusion as to the interpretation put in this early document upon the presentments of decay, it is not necessary to ‘wait until the history and purpose of the Lansdowne MS. have been elucidated’ (above, p. 273).<sup>1</sup> Proceedings in Chancery and in the Exchequer based upon the Inquisitions of 1517 afford the same revelation as to the contemporary definition of the decay of houses of husbandry reported upon by the Commissioners. The Chancery recognisances invariably treat such presentments of decay alone as necessarily involving conversion to pasture. As to the Exchequer proceedings, the examples above given (pp. 252–55) correctly show that the same presumption prevailed through this long series.<sup>2</sup>

(see especially the continuation of his argument, *Discourse*, pp. 120–24). When farmholdings were converted in greater part to pasture, the residue was presumably left in open-field cultivation. No inference as to inclosure for arable husbandry is permissible.

The quotation from Hales concerning ‘husbandes’ holding in several (see the context in the *Discourse*, p. 42; Mr. Leadam, p. 269) had reference, like the encomiums of Tusser, to the old inclosed districts which stood quite outside the inclosure movement now under discussion.

<sup>1</sup> The date of the Lansdowne transcript is probably early in the reign of Edward VI. Mr. Leadam bases his description of it as ‘a list of Crown tenants’ (above, p. 273) on the one county of Berkshire. A comparison of the MS. with some of the new Chancery returns shows that this characterisation is not generally applicable.

<sup>2</sup> Mr. Leadam mentions as among the cases cited by me to prove my contention John Goodwin’s case (Mr. Leadam, p. 273). This, however, does not

The conversion clause might be omitted from the original presentment without injury to the interests of the Crown, and similarly in proceedings based upon such an abbreviated presentment the clause might be inserted without harm to the defendant. In both cases the omission and addition were immaterial, since the fact was taken for granted and needed no express mention to ensure a valid presentment.

Mr. Leadam's theory of inclosures for arable husbandry assumes that the omission of the conversion clause corresponds to the absence in fact of conversion to pasture. To reconcile with this theory the incidental introduction of the conversion clause in the later proceedings against his inclosers for arable he must and does assume the presence in fact of a conversion to pasture subsequent to the original inquisition and brought to the notice of the Attorney-General by supplementary presentments of grand juries or by special information. This fitting of the facts to a preconceived theory is, however, productive of new difficulties. It involves the assumption that a number of offenders would find it advantageous first to decay husbandmen's houses in order to carry on over a long period an improved husbandry in arable inclosures, and then, within two or three years after the presentment of decay and while

correspond to the facts. I cited John Goodwin's case (p. 252, *n.* 1) as an 'exceptional case,' where the tenant explained that there was no inclosure, but only a house decayed by flood. The jury were mistaken in presenting the case at all, since it was no decay of a mese under the Act, *i.e.* involving inclosure and conversion to pasture. John Goodwin's case does not justify Mr. Leadam's classification.

Nor does the Farnham case favour his view (Mr. Leadam, p. 272). The defendant here did not mention the conversion clause, but the Attorney-General assumed that the defendant's plea of rebuilding included a reconversion to arable and denied both the rebuilding and the reconversion. It is an instance of the usual contemporary understanding of a presentment of decay.

The Bray case was tried under the Act of 1535-36, which manifestly took for granted that *all* the presentments of 1517 were accompanied by conversion to pasture (see above, pp. 245-46). The words quoted by Mr. Leadam (above, p. 274, *n.* 2) are customary in the proceedings under this Act. They follow the recital of the Act and precede the pleadings to declare that the case falls under the statute because before the Michaelmas of 1538 the house was still unbuilt, and the land at that time (*adunc*) still lying in pasture. The Act of 1535-36 and the proceedings taken under it confirm plainly my interpretation of the presentments of decay of meses.

prosecution was pending or already initiated, to aggravate their offence and brave Wolsey's anger by converting their arable inclosures to pasture. It involves the further assumption that a number of offenders or their attorneys would be so indiscreet as voluntarily to disclose the new and damaging fact of conversion not previously laid to their charge. Yet if this in truth was a new and material aggravation of the original legal offence, it is difficult to understand why it should be, not the law officers of the Crown, but the defendants themselves—Bukeregge, Wylkelyn, and the Southmorton incloser (to take only the cases above cited, pp. 252–53)—who put this statement on record, for it is a fact that these defendants gave quite casually in their pleas the first intimation of the conversion to pasture. If conversion was not of itself a statutable offence (as in truth it was not),<sup>1</sup> if it was tacitly included in the allegation of decay, their action is explicable, but there then remains no reason for setting in motion the machinery of grand assizes and special inquisitions to obtain supplementary presentments on a matter of no interest to the government or value to the Exchequer. And finally if these supplementary presentments had other than imaginary existence, it is inconceivable that no trace of them should appear

<sup>1</sup> We are assured by Mr. Leadam that 'conversion to pasture, even apart from the decay of a house, was illegal' (above, p. 271). This view rests upon his interpretation of the Acts of 1515 (*D. In.* p. 57) and Wolsey's decree in Chancery of July 12, 1518. But the Acts of 1515 in this respect do nothing more than state clearly the implication of the Act of 1490, that the decay, alone the statutable offence, was understood as one accompanied by conversion to pasture. The Acts of 1515 make no new offence of conversion by itself. Neither does Wolsey's decree. Inclosure offenders who had pleaded the King's pardon or submitted to his mercy were to pull down their inclosures and reconvert the land to tillage within forty days. The decayed houses were doubtless to be rebuilt later, and might have made the subject of another decree. This was the order taken in some of the recognisances, by which the offenders were bound to pull down inclosures and reconvert by a certain date and to rebuild by a certain later date. See, for example, Thos. Hawkyns (Close Roll, no. 388) bound over to put 20 acres in tillage before Michaelmas of 1520 and to rebuild the house before Michaelmas of 1521.

The law officers of the Crown in the Exchequer did not prosecute upon presentments of conversion alone, because they were insufficient in law. See above, p. 250, *n.* 2.

on a legal record which demanded always recital of the instrument upon which proceedings were founded.<sup>1</sup> An acquaintance with the constitution of the record as it appears upon the Memoranda Rolls of the Lord Treasurer's Remembrancer would have precluded the possibility of suggesting such an hypothesis as that set forth by Mr. Leadam.

The summing up of argument would herewith be concluded, but there remains for examination that array of coincidences which in their 'symmetrical harmony' appear to Mr. Leadam such a convincing confirmation of his theory of inclosures for arable husbandry. He argues that his interpretation of the returns of 1517 is upheld by the low wheat-price averages of the period 1481 to 1540, by the acreages of the Staffordshire fines read in conjunction with Fitzherbert, by the later agricultural statistics for Berkshire, and by the agreement of the rental values as given in the Inquisitions of 1517 with the proportion of acreage inclosed to pasture or arable.

This last argument, to which Mr. Leadam gives, if not most space, at any rate the greatest emphasis, is based on his tables of the rental values of arable and pasture inclosures averaged for seven (not six) counties.<sup>2</sup> He has included in these tables Leicestershire with at most twenty-four available rental entries and Bedfordshire with fourteen, although he had himself characterised the returns for both these counties as 'insufficient to frame an average.' Attention must therefore be confined to the remaining 'five principal counties.' In four of these the total average rental value and the total acreage of the presentments which omit the conversion clause are in each case less than the total average rental value and acreage of the presentments not so curtailed. In the fifth county,

<sup>1</sup> Mr. Leadam states (above, p. 274, *n.* 3): 'The cases in the L. T. R. rolls show that evidence was taken by the Crown at the time of the later proceedings.' I have referred to such evidence in the Bastelden and Bucklond cases (pp. 253, 254). The special inquisitions and informations are always for the purpose of testing the truth of the defendant's plea, and always follow his plea. They never precede it for the equipment of the law officers of the Crown with supplementary 'counts.' There is no record whatever of supplementary presentments or informations as to the fact of conversion to pasture.

<sup>2</sup> *D. In.* pp. 62 and 67.

Berkshire, acreage again follows rental, but both in the total are higher for the entries without than those with the conversion clause. These results, argues Mr. Leadam, are not due to mere chance and cannot be accounted for by 'the diversions of a clerk,' since that theory assumes that the omissions are made in an absolutely erratic and fortuitous manner. In this, however, Mr. Leadam is mistaken. It has been already observed that the omission or inclusion of the conversion clause was not entirely erratic, but that it appeared as a rule in the larger and more important entries of inclosure. These, demanding more attention or evoking more indignation, were described, with 'a large expenditure of phrase' (p. 251 and *ibid.* note 2), and thus contained together with the other legal superfluities explicit mention of the fact of conversion to pasture elsewhere taken for granted. But the mention of the conversion clause is not the only characteristic of the entries of large inclosures. High, sometimes exceptionally high, rental values equally distinguish this class. These two characteristics, however, have each a different relation to the entries of large inclosures. In the case of the high rental values, the nexus is substantive, expressing a relation of economic fact, while in the other case the connection between large inclosures and the conversion clause is only formal and clerical. As between high rental value and explicit mention of conversion to pasture, the two usual concomitants of large inclosures,<sup>1</sup> there is

<sup>1</sup> The following table illustrates the general rule which is applicable to large inclosures: first that the conversion clause is usually added, and second that their average rental value is high.

Entries of 100 acres and above							Under 100 acres
—	Expressing conversion to pasture			Not expressing conversion		Total average rental value per acre	Total average rental value per acre
	No. of entries	Average area	Percentage of total area	No. of entries	Average area		
		acres			acres	£	£
Northamptonshire	22	222·41	67·71	1	100	13·13	8·64
Oxfordshire .	17	172·41	46·26	3	103·33	12	9·62
Warwickshire .	19	246·73	66·96	1	100	19·5	9·97

For Berkshire and Buckinghamshire, the remaining two counties, see the table on p. 300.



no relation but that of juxtaposition. Now in four counties out of the five, large inclosures, many in number, dominate the total average of rental values, especially when, as in Mr. Leadam's table, a weighted average (*i.e.* one weighted with the acreage) is employed.<sup>1</sup> As a natural consequence the two disparate phenomena associated with this controlling class remain conjoined in the total result. The group of entries with the conversion clause has upon its side the highly valued and preponderating acreage of the large inclosures. In Berkshire, however, the exception to the rule, the large inclosures are too few to dominate, but sufficient in a nearly even balanced scale to determine the result; here a few exceptional entries turn the balance. Under these conditions it is obvious that the true relation, or rather lack of relation, between rental values and conversion clause will be more readily discernible in the class of smaller inclosures, where the rule prevailing in the greater class gives way to more arbitrariness in the omission or addition of the clause.

Only for Berkshire and Buckinghamshire are Mr. Leadam's statistical tabulations published in full, but by utilising the figures of his rental tables for the two counties it will be possible to test this point on the basis of his own interpretation and classification of the entries.<sup>2</sup> If from the returns of both counties all entries of one hundred acres and above be excluded, as representing the class of large inclosures, it is discovered that in Buckinghamshire the smaller inclosures explicitly described as converted to pasture, though possessing the greater total acreage, have an average rental value less than that of the areas associated with decay alone. In Berkshire the caprice of the omission is again manifested in the fact that among the smaller inclosures it is the presentments of decay alone which possess the greater area but the less average rental value. In Mr. Leadam's terminology this means that

<sup>1</sup> For the four counties Buckinghamshire, Northamptonshire, Oxfordshire, and Warwickshire the percentages of the total area of rental entries formed by the acreage of the large inclosures (100 acres and above) expressing conversion to pasture are respectively 57·83, 67·71, 46·26, and 66·96.

<sup>2</sup> See table on p. 300.

in Buckinghamshire the majority of smaller inclosers preferred to inclose to pasture despite the attractions of a higher rental for arable inclosure, while the majority of the same class in Berkshire chose rather to decay houses and evict the inhabiting husbandmen in order to till the soil in an improved husbandry when by the same means they could have secured as pasture farmers at once greater ease and greater profit. It is evident, then, that an appeal to these rental statistics will not assist Mr. Leadam's contention. A closer inspection of the figures justifies the conclusion that the absence or presence of the conversion clause is a mischievous criterion of classification, and that the hypothesis of inclosure for arable husbandry is not the sole and satisfactory explanation of the facts Mr. Leadam believes it to be.

In the subjoined table, with the addition of the cross division distinguishing large and small inclosures, Mr. Leadam's classification is followed as given in *D. In.* pp. 561-5 and 631-4.

Presentments of 1517	Expressing conversion to pasture			Not expressing conversion			Total entries		
	Number of entries	Average area of entry	Average rental value per acre	Number of entries	Average area of entry	Average rental value per acre	Number of entries	Average area of entry	Average rental value per acre
BUCKINGHAMSHIRE:									
Entries of 100 acres and above	24	201'06	15'85	3	113'33	10'4	27	191'31	15'49
Entries under 100 acres	58	35'31	9'54	27	41'85	10'16	85	37'38	9'76
Total entries . .	82	83'82	13'97	30	49	10'22	112	74'5	13'31
BERKSHIRE:									
Entries of 100 acres and above	5	108	6'52	5	148	12'01	10	128	9'75
Entries under 100 acres	38	41'5	8'25	72	35'82	7'95	110	37'78	8'07
Total entries . .	43	49	7'81	77	43'1	8'88	120	45'3	8'46

The exceptional character of the Berkshire return is seen both in the preponderance of small inclosures (76'46 per cent. of the total area of rental entries) and in the fact that high rental value and mention of the conversion clause do not coincide in the few large inclosures.

The three other arguments forming the 'symmetrical harmony' are equally based on unsubstantial assumptions. That from Fitzherbert and the Staffordshire fines, so far as it would seem to have any validity at all,<sup>1</sup> rests upon its identification in some considerable measure of the demesne lands, whose inclosure is described by Fitzherbert in a well-known passage, with the 'manors or freeholds of manors' which alone pass by fine. But Miss Davenport is careful to explain that her tables of Staffordshire arable and pasture land passing by fine do not for the period in question give information as to the acreage of manors, but offer only a comparison of 'the relative extent of the various kinds of land that constituted an average freehold tenement.'<sup>2</sup> Surely Mr. Leadam would not include Fitzherbert's demesne lands in the freehold tenements of the fines. From the Staffordshire tables, then, nothing can be predicated as to the inclosure for arable of Fitzherbert's demesne lands, and from this in turn nothing as to the inclosure of the arable acreage mentioned in the fines.<sup>3</sup>

The arguments from the corn prices and from the extent,

<sup>1</sup> Though Mr. Leadam calls the figures as to acreage derived from the Staffordshire fines 'not by any means conclusive' (above, p. 278), he goes on nevertheless to argue from them that 'a considerable portion' of the acreage must have been inclosed for arable cultivation.

<sup>2</sup> *Quarterly Journal of Economics*, xi. 206.

<sup>3</sup> In this connection, it may be permissible to suggest caution in the use of any statistics based upon the fines of the sixteenth century and later. 'A fine did not ascertain but only comprised the lands whereof it was levied' (Cruise, *Digest*, ed. 1835, v. 137, and see *ibid.* iv. 119). It was a well-known practice to state the parcels of the fine in fictitious and exaggerated quantities. In a case concerning lands passed by fine in 25 Hen. VIII., Chief Justice Popham said 'that alwaies more Land is comprised in Fines by number of acres, then men have, or is intended to pass' (Poph. *Rep.* p. 105, and see also *L. and P. H. VIII.* xiii. 33). Mr. R. E. G. Kirk in his Introduction to the *Fees of Fines for Essex* (Essex Arch. Soc., 1899) makes mention of these exaggerations, whereby 'the object of the fine was no longer apparent within its four corners,' and he informs me that this statement is confirmed by comparisons of the fines with their corresponding deeds or declarations of uses, and that it applies to fines of the sixteenth century and even earlier. Under these circumstances, while from the acreages passed by fines a general inference as to an increasing movement towards pasture farming may possibly be justified, the percentages based on such unreliable figures would hardly warrant more precise conclusions.

at various dates, of arable cultivation in Berkshire may be dealt with together. Mr. Leadam has taken needless pains in the marshalling of familiar quotations and statistics against a view of the inclosing movement which is not mine—which indeed by successive steps<sup>1</sup> he has himself created. He describes me as contending for ‘universal inclosure to pasture’ (p. 281), and for ‘great tracts of inclosed pasture broken by occasional arable’ (p. 282). To present this travesty, Mr. Leadam must have overlooked the statement of my opinion ‘that the exaggerated complaints of contemporaries have been misleading as to the extent of the inclosures; that, in fact, the corn-growing area was not very seriously affected’ (p. 242 *n.* 1). I had also taken note of the fact that in none of the five principal counties ‘does the total area of inclosures returned by the commissioners reach two per cent. of the area of the county’ (p. 263). The inclosing movement of the period represented by the Inquisitions of 1517 and even later was, so far as it went, for pasture farming, but it did not go far enough to impair seriously either the corn production of the country or the open field system where this was prevalent.<sup>2</sup> Data which indicate the late survival of large areas of arable lying in open field<sup>3</sup> are evidently only

<sup>1</sup> See Mr. Leadam (above, p. 268): ‘He roundly denies the existence of any movement towards inclosure of arable, at least on a scale worthy of mention.’ This has some resemblance to my view, though I naturally prefer my own statement (p. 256). But the qualifying clause is dropped when Mr. Leadam reaches page 279, and by the time the statements quoted in the text emerge all resemblance is lost.

<sup>2</sup> Nasse’s extreme view concerning the character of the agrarian change of the sixteenth century is based on inadequate evidence and was questioned, as I remarked (p. 242, *n.* 1), by Busch. The latter is, however, still too much influenced by Nasse’s ‘grundlegende Arbeit,’ and his note (*England unter den Tudors*, i. p. 390, cited by Mr. Leadam, p. 278) is open to question.

<sup>3</sup> Mr. Leadam would apparently treat the 255,000 acres of Berkshire arable land (estimated by Dr. Beke at the beginning of the nineteenth century) as ‘inclosures of arable’ (above, p. 284). But Pearce, writing in 1794 after the inclosures of the eighteenth century, states that ‘a moiety, at least, of the arable land in Berkshire is still lying in common fields’ (*General View of the Agriculture of Berkshire*, 1794, p. 49). Between 1794 and 1808 Mavor estimated that about 30,000 acres had been inclosed from the common fields which, he added, ‘still occupy by far too large a space’ (*ibid.* ed. 1808, p. 5). Pearce, like Dr. Beke, had made use of Rocque’s map of 1761.

confirmatory of this view. And when, further, it is borne in mind that inferences from what Mr. Leadam misinterprets as the arable inclosures of Berkshire rest on returns of 1517 affecting less than one per cent. of the total county area,<sup>1</sup> it will surely appear idle to institute comparisons with the total arable area of the county in 1866 cultivated under quite different conditions.

But while it is essential to insist on the limited scope of the data furnished by the Inquisitions of 1517, and on the necessity of critical caution in their use, it need not be held that the importance of the Inquisitions is thereby unduly depreciated. The student of the social history of the period cannot pass them by. If their meaning has been in any wise elucidated, the purpose of this discussion has been attained.

EDWIN F. GAY

<sup>1</sup> *D. In.* p. 515.

## CORRIGENDA

### *The Battle of Dunbar*

Page 39, note 5, line 2, *for* 'on the left,' *read* 'on Leslie's left ;' and in the same note, line 17, *for* 'massed on his right,' *read* 'massed against Leslie's right.'

Page 42, note 3, line 9, *for* 'were on the left wing,' *read* 'were containing Leslie's left wing.'

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## REPORT OF THE COUNCIL, SESSION 1898-99

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THE Council of the Royal Historical Society present their Annual Report to the General Meeting of the Fellows.

The President delivered his Annual Address on February 16.

The following Papers were read and discussed at the Ordinary Meetings of the Society during the past Session :—

“The Fall of Cardinal Wolsey.” By James Gairdner, LL.D.

“The Origin and Early History of Double Monasteries.” By Miss Mary Bateson.

“The Raising of the Ironsides.” By C. H. Firth, M.A.

“Pitt and Peel, 1784-5 and 1834-5.” By Frank H. Hill.

“Politics at the Council of Constance.” By the Rev. J. Neville Figgis, M.A.

“Morocco’s Long Reign.” By Budgett Meakin.

“The History of a London Livery Company.” By M. S. Giuseppi, F.S.A.

The “Alexander” Prize in the year 1898 for the best essay on the subject of “The Relations of the Crown to Trade under James I.” was awarded by the Examiners to Miss F. Hermia Durham, formerly of Girton College, Cambridge. The essay has been printed in the *Transactions*.

In addition to Volume XIII. of the *Transactions*, the following volume of the Camden Series has been issued to the Fellows and Subscribing Libraries since the date of the last Report :

“The Clarke Papers,” Vol. III. Edited by C. H. Firth, M.A.

The following volumes of Publications were in the Press at the end of the past Session :

“The Clarke Papers,” Vol. IV. Edited by C. H. Firth, M.A.

“The Narrative of General Venables, and other Papers relating to the Jamaica Expedition 1655.” Edited by C. H. Firth, M.A.

The following volumes were ready for the Press or in active preparation at the same date :

“The Cely Papers : a correspondence between Merchants of the Staple in London and Calais 1477-1487.” Edited by H. E. Malden, M.A.

“The State Trials of 1289-90.” Edited from the unpublished records by Professor T. F. Tout, M.A.

“The Correspondence of the Earl of Buckinghamshire, British Ambassador to St. Petersburg 1763-5.” Edited from the Foreign Office Correspondence and Family Papers by Mrs. D’Arcy Collyer.

“The Camden Miscellany,” Vol. X.

Sir M. E. Grant Duff having intimated that he did not propose to consider the possibility of any further extension of his second term of office as President, which expired in February last, the Council accepted this intimation with regret, and resolved that a unanimous and most hearty vote of thanks should be accorded to Sir Mountstuart Grant Duff for his services to the Society during his long term of office.

A Committee of the Council having recommended that Dr. Adolphus William Ward, formerly Professor of History and Literature in Owens College, Manchester, Principal of that College, and Vice-Chancellor of the Victoria University, should be invited to accept the office of President of the Society, the recommendation was adopted by the Council, and the invitation was accepted by Dr. Ward.

The Director having presented to the Council a Report dated December 1898, on the state of the Society's Foreign Exchanges, from which it appeared that many foreign societies which exchanged *Transactions* with the Society had omitted for many years past to make an adequate return for the publications received by them, an exhaustive return of the whole stock of the

publications received in exchange from foreign societies was prepared by the Librarian, and circulars have been issued accordingly ; in response to which a large number of valuable foreign *Transactions* and historical texts have been already received through the courtesy and goodwill of those societies.

The Librarian reports that 242 books and pamphlets have been added to the Library during the year ended October 31, 1899, bringing the number of books in the Library up to 4192 volumes. Of the additions, 12 volumes were acquired by purchase, and 230 volumes by exchange or presentation. Within the same period 405 volumes of Foreign *Transactions* have been bound.

During the past Session the Council received with regret the announcement of the decease of several Fellows who had been intimately connected with the Society. The late Sir George Grey was an Honorary Fellow and a donor to the Library. Mr. George Hurst, who died at the great age of 98, was almost to the last an active member of the Council. Mr. Walter Hamilton was a very old Fellow, who acted for some years as one of the Auditors of the Society.

The Council have noted with satisfaction that an increasing number of historical scholars engaged in original research appear to have offered themselves for election as Fellows of the Society.

The Council append to their Report the Treasurer's statement of the financial position of the Society from November 1, 1898, to October 31, 1899.

They also append a Prospectus of the objects of the Society, with the Charter, Bye-laws, List of Fellows, and a Catalogue of Publications.

# ROYAL HISTORICAL SOCIETY BALANCE-SHEET FOR THE YEAR ENDING OCTOBER 31, 1899.

October 31	£	s.	d.	October 31	£	s.	d.
To Balance October 31, 1898 (L. & S.-W. Bank)	416	14	7	By Carriage, Postages, and Petty Accounts	38	5	7
" Subscriptions for 1896 2 at £1. . . . .		2	0	" Indexing . . . . .	8	5	6
" " " 2 at £2. 2s. . . . .		4	4	" Salaries and Gratuities . . . . .	170	2	0
" " " 3 at £1. . . . .	6	4	0	" Transcribing . . . . .	14	13	6
" " " 1 at £1. 1s. . . . .		1	1	" Cheque Book . . . . .	8	4	0
" " " 4 at £2. 2s. . . . .		8	8	" Subscriptions refunded . . . . .	2	2	0
" " " 22 at £1. . . . .	12	9	0	" Subscriptions to Societies . . . . .	6	5	0
" " " 8 at £1. 1s. . . . .		8	8	" Printing . . . . .	525	8	7
" " " 21 at £2. 2s. . . . .		44	2	" Advertising . . . . .	7	11	0
" " " 122 at £1. . . . .	74	10	0	" Hire of Hall for Meetings (part in advance for 1899) . . . . .	32	12	5
" " " 90 at £1. 1s. . . . .		94	10	" Binding . . . . .	12	10	0
" " " 143 at £2. 2s. . . . .	516	16	3	" £ of Three Life Subscriptions invested . . . . .	42	0	0
" " " 3 at £1. . . . .		3	0	" Alexander Medal Die . . . . .	24	3	0
" " " 2 at £1. 1s. . . . .		2	2	" Editing . . . . .	17	15	3
" " " 2 at £2. 2s. . . . .		4	4				
" " " 1 at £2. 2s. . . . .	9	6	3				
" " " 1 at £2. 2s. . . . .	2	2	0				
Three Life Compositions . . . . .	621	7	6				
Dividends on Russian Bonds . . . . .	63	0	0				
Sales of Transactions and Publications . . . . .	3	16	4				
	42	13	0				
	£1,147	11	5				

To Balance Cash at London and South Western Bank . . . . .	245	8	9
	£1,147	11	5

## CAPITAL OR RESERVE FUND ACCOUNT.

October 31	£	s.	d.	October 31	£	s.	d.
To Balance brought forward October 31, 1898	656	7	7	By £449. 9s. 9d. 2½ % Consols and Brokerage . . . . .	454	0	9
" Dividends on £449. 9s. 9d. 2½ % Consols . . . . .	11	19	0	" Deposit Account at London and South-Western Bank 251 1 1	251	1	1
" £ of Three Life Compositions from Curr. Acc. 42 0 0		42	0	" Interest accrued on Deposit Account to September 30 9 6 1		9	6
" Interest on Deposit Acc. to Sept. 30, 1899 4 1 4		4	1				
	58	0	4				
	£714	7	11				

We have compared the entries in the books with the vouchers from November 1, 1898, to October 31, 1899, and find them correct, showing the receipts (including £416. 14s. 7d. brought forward) to have been £1,147. 11s. 5d. and the expenditure to have been £902. 2s. 8d., leaving a balance of £245. 8s. 9d. at the London and South-Western Bank in favour of the Society.

B. F. STEVENS, R. DUFFY LLOYD, I. FOSTER PALMER, Auditors.

Alexander Medal Trust Fund: Russian 4 % Railway Bonds 1889 98 17 6

# Royal Historical Society.

(INCORPORATED BY ROYAL CHARTER.)

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**PATRON:**

HER MAJESTY THE QUEEN.

**PRESIDENT:**

A. W. WARD, LL.D., LITT.D.

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I. The Historical Society was founded in 1868, by the then Archbishop of York, the late Earl Russell, the late George Grote, the late Dean of Westminster, Sir John Lubbock, Bart. (now Lord Avebury), the late Earl of Selborne (then Sir Roundell Palmer), and other eminent men of the day, its main objects being to promote and foster the study of History, by assisting in the publication of rare and valuable documents, and by the publication from time to time of volumes of Transactions and Publications.

II. In 1872 the Society, through the Secretary of State (The late Right Hon. H. A. Bruce, afterwards Lord Aberdare, G.C.B., for many years President of the Society), received the official permission of Her Majesty the Queen to adopt the title Royal Historical Society; and in 1889 Her Majesty was pleased to cause Letters Patent, dated July 31, to be passed under the Great Seal, granting to the Society Her Majesty's Royal Charter of Incorporation. On May 2, 1897, the Camden Society was amalgamated with the Royal Historical Society, and the Camden Series of Publications was transferred to the latter Society.

III. The Society consists of a President, Fellows, and Honorary Fellows and Corresponding Members, forming together a body, at the present time, of nearly seven hundred Members. The principal States of Europe and America, British India, and the Colonies are represented by Honorary or Corresponding Fellows.

IV. The Annual Subscription to the Society is *Two Guineas*; and at present there is no entrance fee. Fellows may, on joining the Society, or afterwards, compound for all future subscriptions upon the payment of *Twenty Guineas*. Libraries are admitted to the Membership of the Society for the purpose of receiving its publications on payment of an annual subscription of *One Pound*.

V. The Fellows of the Society receive gratuitously a copy of each of the Society's Transactions and Publications during the period of their subscription.

The annual Publications of the Society will, in future, include a volume of Transactions containing selected Papers read at the Society's Evening Meetings, together with the most valuable of the original documents which may be communicated to the Society from time to time by historical scholars. In addition to this, the Council are hopeful of being able to ensure the regular production of a uniform series of Publications in the style of the Camden Series of Publications, at the rate, if possible, of two volumes in every year.

VI. Ordinary Meetings of the Society for the reading of Papers and discussions thereon are held from November to June, on the *third* Thursday in each month, at 5 P.M. The Anniversary Meeting is held on the *third* Thursday in February, when the President delivers his Annual Address.



VII. The Library of the Society is deposited at 115 St. Martin's Lane, W.C. Donations of Historical books and documents will be received and acknowledged by the Librarian. All parcels should be marked "Royal Historical Society." It is hoped that all Fellows of the Society who publish Historical works will present copies to the Library.

VIII. The Royal Historical Society, being incorporated, is now in a position to receive and benefit by legacies. The means of usefulness of many corporations has been largely increased by the bequests of its members; and it is hoped that the income of the Society may eventually be supplemented from this source.

IX. All literary communications, proposals for Papers to be read before the Society, or Historical documents or relics to be exhibited at the ordinary Meetings, should be addressed to the Director,

HUBERT HALL, F.S.A.

115 St. Martin's Lane, London, W.C.

All communications respecting the Library should be addressed to the Librarian,

THOMAS MASON, F.R. Hist. S.

115 St. Martin's Lane, London, W.C.

All subscriptions, unless paid by Banker's Order, should be sent to the Treasurer,

R. HOVENDEN, F.S.A.

Heathcote,

Park Hill Road,

Croydon, Surrey.

Communications on all other subjects should be addressed to the Secretary,

115 St. Martin's Lane, London, W.C.

## No. I.

## FORM OF A CANDIDATE'S CERTIFICATE.

## Certificate of Candidate for Election.

Name, .....

Title, Profession, or Occupation, .....

Residence, .....

being desirous of admission into the ROYAL HISTORICAL SOCIETY,  
we the undersigned recommend him as a fit and proper person to  
be admitted as a Fellow.

Dated this ..... day of ..... 189.....

..... F.R. Hist. Soc. { *From personal  
knowledge.*

..... F.R. Hist. Soc. } *From general  
knowledge.*  
..... F.R. Hist. Soc. }

Proposed ..... 189.....

Elected ..... 189.....

*Copies of this Form may be obtained on application to MR. THOMAS MASON,  
115 St. Martin's Lane, W.C.*

## No. II.

A VOTE by ballot, when necessary, shall be conducted in the usual manner, and the Secretary shall cause Voting Papers to be prepared for that purpose in the following form :—

## VOTING PAPER.

Election held ..... 18.....

|                                                             |                                                                |       |
|-------------------------------------------------------------|----------------------------------------------------------------|-------|
| <i>Candidates<br/>for the<br/>office of<br/>President :</i> | 1. ....                                                        | ..... |
|                                                             | 2. ....                                                        | ..... |
| <i>Vice-<br/>President :</i>                                | 1. ....                                                        | ..... |
|                                                             | 2. ....                                                        | ..... |
|                                                             | 3. ....                                                        | ..... |
| <i>For the<br/>Council :</i>                                | <b>Retiring Members who offer themselves for re-election :</b> |       |
|                                                             | 1. ....                                                        | ..... |
|                                                             | 2. ....                                                        | ..... |
|                                                             | 3. ....                                                        | ..... |
|                                                             | 4. ....                                                        | ..... |
|                                                             | <b>Candidates nominated under Rule V.</b>                      |       |
|                                                             | 5. ....                                                        | ..... |
|                                                             | 6. ....                                                        | ..... |
|                                                             | 7. ....                                                        | ..... |
|                                                             | 8. ....                                                        | ..... |

Fellows shall record their votes by putting a cross against the names of the Candidates in whose favour they wish to vote. If any Fellow shall record his vote for more Candidates than there are vacancies, his Voting Paper shall be void.

### No. III.

## FORM OF LEGACY

I give and bequeath unto the ROYAL HISTORICAL SOCIETY the sum of £                      such legacy to be paid out of such part of my personal estate, not specifically bequeathed, as the law permits to be appropriated by will to such a purpose.

*Note.*—Gifts may be made by will of stock in the public funds, shares or debentures of railway or other joint-stock companies, or money be paid out of the testator's pure personal estate, or of personal chattels.

# CHARTER OF INCORPORATION



CHARTER OF INCORPORATION  
OF THE  
ROYAL HISTORICAL SOCIETY

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**Victoria**, BY THE GRACE OF GOD, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, TO ALL TO WHOM these Presents shall come, Greeting ;

WHEREAS Our right trusty and well beloved Councillor, Henry Austin, Baron Aberdare, Knight Grand Cross of Our most Honourable Order of the Bath, Fellow of the Royal Society, has by his Petition humbly represented unto Us, That in the year one thousand eight hundred and sixty-eight, His Grace the Archbishop of York, the late Right Honourable John, Earl Russell, K.G., F.R.S., the late Very Reverend the Dean of Westminster, Sir John Lubbock, Baronet, the late Sir John Bowring, LL.D., Sir Roundell Palmer, Q.C., M.P., D.C.L., now Earl of Selborne, the late George Grote, Esquire, F.R.S., and others of Our subjects formed themselves into a Society known as the Historical Society of Great Britain, having for its object the promotion of the study of History ;

AND WHEREAS We were pleased in the year one thousand eight hundred and seventy-two to permit the said Society to adopt the name and title of the Royal Historical Society ;

AND WHEREAS in the year one thousand eight hundred and eighty-seven We were pleased to become Patron of the said Royal Historical Society ;

AND WHEREAS it has been represented to Us by the said Petitioner that the said Society has been and continues to be actively employed in promoting the object for which the said Society was founded, and has published thirteen volumes of Transactions containing original memoirs read before the Society, and did also in the year one thousand eight hundred and eighty-six appoint a Com-

mittee for the due celebration of the eight hundredth anniversary of the completion of the Domesday Book of His late Majesty William the First, by which Committee meetings for the reading of papers and exhibitions of Domesday Book and other manuscripts were held, and the papers read at the meetings have been published under the title of Domesday Studies, of which We have been pleased to accept the dedication, and the said Society has also published the despatches from Paris in one thousand eight hundred and two—one thousand eight hundred and three of Lord Whitworth, Ambassador of His late Majesty King George III ;

AND WHEREAS the said Society has in aid of its objects collected a Library to which additions are constantly being made, and other property ;

AND WHEREAS the said Petitioner, believing that the well-being and usefulness of the said Society would be materially promoted by its obtaining a Charter of Incorporation, hath therefore, on behalf of himself and the other Fellows of the said Society, most humbly prayed that We would be pleased to grant to those who now are, or who shall from time to time become Fellows of the said Society, Our Royal Charter of Incorporation ;

NOW KNOW YE that We, being desirous of encouraging a design so laudable and salutary, of Our especial grace, certain knowledge and mere motion, have granted, directed and declared, and by these Presents do grant, direct, and declare that the said Henry Austin, Baron Aberdare, and such others of Our loving subjects as now are Fellows of the said Royal Historical Society (hereinafter called the said Society), or as shall hereafter from time to time become under the provisions of these Presents Members of the Body Politic and Corporate by these Presents created, shall for ever hereafter be one Body Politic and Corporate by the name of the ROYAL HISTORICAL SOCIETY ; and for the purposes aforesaid, and by the name aforesaid, shall have perpetual succession and a Common Seal, with full power and authority to alter or vary, break and renew the same at their discretion, and by the same name to sue and be sued, implead and be impleaded, answer and be answered in every Court of Us, Our Heirs and Successors.

AND Our will and pleasure is, that the Royal Historical Society hereby created (hereinafter called the Corporation) may, notwithstanding the Statutes of Mortmain, take, purchase, hold and enjoy



to them and their successors a hall or house, and such other lands, tenements, and hereditaments as may be necessary for carrying out the purposes of the Society, Provided that the yearly value of such lands, tenements, and hereditaments (including the said hall or house) computed at the yearly value of the same at the time of the respective purchases or acquisition thereof do not exceed in the whole the sum of Two thousand pounds sterling.

AND Our will and pleasure is, and We do hereby declare, That there shall always be a Council of the Corporation, and that the said Council shall consist of a President, not less than six Vice-Presidents, a Treasurer, a Secretary, and not less than fourteen Councillors, who shall be elected and retire in accordance with the Bye-laws for the time being of the Corporation, and that the present Council of the said Society shall be the first Council of the Corporation ;

AND Our will and pleasure is, That the Council of the Corporation may from time to time make, revoke, alter, and amend bye-laws for all or any of the following purposes, to wit :—

- (a) Prescribing the manner in which persons may become members of the Corporation and the conditions of membership, and the rights, powers, duties, privileges, and amotion of the members of the Corporation ;
- (b) Prescribing the tenure of office by the President, Vice-Presidents, Treasurer, Secretary, and Councillors of the Corporation (including those hereby appointed), and the mode of electing or appointing future Presidents, Vice-Presidents, Treasurers, Secretaries and Councillors, and the rights, powers, duties, privileges, and amotion of the first and future Presidents, Vice-Presidents, Treasurers, Secretaries, and Councillors ;
- (c) With respect to the appointments, emoluments, and tenure of office of the officers and servants of the Corporation ;
- (d) The election or appointment and amotion of honorary members or Fellows of the Corporation (who may, if the bye-laws so declare, be either Our subjects or foreigners, or both) ;
- (e) The classes into which Members are to be admitted ;
- (f) Generally for regulating the affairs, property, business, and interests of the Corporation and its Council and Members, and making, revoking, altering, and amending bye-laws and carrying out the objects of these Presents ;

Provided that such bye-laws shall not be valid unless and until they have been approved by a clear majority of the members of the Corporation present at a meeting specially summoned for the purpose, and Provided also that if any bye-law be contrary to the objects of the Corporation, or the intent or meaning of this Our Charter, or the laws or statutes of Our Realm, the same shall be absolutely null and void.

WE do further direct and declare that the existing bye-laws of the said Society shall (so far as they are applicable) apply to the Corporation, its Council, members, and affairs until bye-laws made under these Presents have come into force but no longer.

WE do further by these Presents declare that it is Our will and pleasure that these Presents may be repealed, altered, amended, or added to by any Charter granted by Us, Our Heirs and Successors, at any time hereafter, and accepted by a clear majority of the members of the Corporation present at a Meeting specially summoned for the purpose.

IN WITNESS whereof We have caused these Our Letters to be made Patent. WITNESS Ourselves at Westminster, the thirtieth day of July, in the fifty-third year of Our Reign.

BY WARRANT UNDER THE QUEEN'S SIGN MANUAL,

MUIR MACKENZIE.

L.S.

# **BY-LAWS**



THE BY-LAWS  
OF THE  
ROYAL HISTORICAL SOCIETY

(Incorporated by Royal Charter).



I.—The Society shall consist of Ordinary, Corresponding, and Honorary Fellows. The number of Honorary Fellows shall not exceed Seventy-five; and of these not more than twenty-five shall be British subjects.

II.—The Council shall be chosen from the Ordinary Fellows, and shall consist of not less than twelve Vice-Presidents, a Secretary, a Treasurer, and not less than sixteen Fellows.

III.—The President shall be elected by the Fellows at the Anniversary Meeting, and shall hold office for a term of four years. The past Presidents shall be ex-officio Honorary Vice-Presidents of the Society.

IV.—The three Vice-Presidents senior on the roll, and the four Members of Council senior on the roll, shall retire annually, but shall be eligible for re-election.

V.—The names of Fellows to be submitted for election as Office-Bearers and Members of Council shall be proposed by the Council, and intimated to the Fellows at least Fifteen days before the Anniversary Meeting; but any ten Fellows of the Society may nominate

Fellows to supply vacancies, such names being notified to the Secretary at least Ten days before the said Meeting. If there should be more than three Candidates for the office of Vice-President, or more than four Candidates to fill the vacancies in the Council, the elections shall take place by ballot, as provided in Appendix II.

VI.—The Council shall determine the Works, Articles, and Papers to be read at the Society's Meetings, and otherwise shall arrange the business of the Society; and nothing shall be published in the name of the Society, or under its auspices, or inserted in the Society's *Transactions* or other publications, without the authority of the Council.

VII.—The Society shall distribute gratuitously to each Ordinary Fellow a copy of the *Transactions* as the volumes are issued, these to be forwarded free of expense to all Fellows residing within the postal union.

VIII.—Fellows shall have access to the Society's Library under such regulations as may appear to the Council necessary.

IX.—Every person desirous of admission into the Society as an Ordinary Fellow must be proposed and recommended agreeably to the Form No. I. in the Appendix hereto, and such recommendation must be subscribed by two Fellows at least, one of whom must certify his personal knowledge of such candidate. The certificate thus filled up shall be delivered to the Secretary, and shall be communicated by him to the Council at their next meeting, when the election of such candidate may take place.

X.—Fellows shall be elected by the Council on the vote of two-thirds of the Members of Council present. The names of those so elected shall be announced at the next Ordinary Meeting of Fellows.

XI.—The Secretary shall send to every elected Fellow notice of his election within seven days thereafter. No election of an Ordinary Fellow shall be complete, neither shall his name be printed in the list of the Society, nor shall he be entitled to exercise any of the privileges of a Fellow, until he shall have paid

his entrance fee and first year's contribution, or compounded for the same, as hereinafter provided ; and unless these payments be made within three calendar months from the date of election, such election may be declared void by the Council.

XII.—Every Fellow of the Society shall furnish his Address, or that of his Agent or Banker, to the Secretary ; and all notices or packets posted or sent to such address shall be held to be duly delivered.

XIII.—The Council shall be empowered to elect persons of distinction as Honorary Fellows, and also Corresponding Members, but these shall have no claim (unless on the usual annual payment) to receive the publications or vote at the Meetings of the Society. The Council shall also have power to elect in each year two persons eminent in historical studies, who shall have all the privileges of Life Fellows.

XIV.—If any Fellow of the Society or any Honorary Fellow shall so demean himself that it would be for the dishonour of the Society that he longer continue to be a Fellow thereof, the Council shall take the matter into consideration ; and if the majority of the Members of the Council present at some meeting (of which and of the matter in hand such Fellow and every Member of the Council shall have due notice) shall decide by ballot to recommend that such Fellow be expelled from the Society, the Chairman shall at the next Ordinary Meeting announce to the Society the recommendation of the Council, and at the following Ordinary Meeting the question shall be decided by ballot, and if at least three-fourths of the number voting are in favour of the expulsion, the name of such Fellow shall forthwith be removed from the roll.

XV.—The Annual Subscription shall be Two Guineas, provided always that Fellows elected prior to the 1st of March, 1884, shall not be required to pay more than One Guinea annually, and Members of the Camden Society elected prior to the 1st March, 1895, the sum of One Pound annually. The entrance fee shall be fixed from time to time by the Council.

XVI.—Fellows of the Society may at any time compound for their annual subscription by the single payment of Twenty Guineas,

N.S.—VOL. XIV.

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of which Fourteen Pounds Sterling shall be placed to the Capital Account of the Society.

XVII.—No Fellow shall be entitled to exercise any of the privileges of the Society unless and until his subscriptions for the current and previous years have been paid.

XVIII.—All Annual Subscriptions, except the first, shall be due and payable on the 1st January, and any Fellow of the Society who shall fail to pay his subscription on or before the 1st of June shall be applied to in writing by the Secretary; and if the same be not paid on or before the 31st October following, the Council shall be empowered to remove his name from the roll, but such Fellows shall continue liable to the Society for the arrears of their subscriptions.

XIX.—The Meetings of the Society are of three kinds—Anniversary, Special, and Ordinary.

XX.—The Anniversary Meeting shall be held on the Third Thursday of February, or at such other time as the Council shall from time to time appoint. At the Anniversary Meeting the vacancies in the Council shall be filled up.

XXI.—The Council may at any time call a Special Meeting of the Society whenever it shall be considered necessary, and shall convene a Special Meeting of the Society on a requisition to that effect being made by twenty Fellows, the date of such Meeting being fixed within one month from the receipt of the requisition.

XXII.—A fortnight's notice, at least, of the time when, and the object for which, every Special Meeting is to be holden shall be sent to every Fellow residing in the United Kingdom; and no other business than that of which notice has been thus given shall be entered upon or discussed at such Meeting.

XXIII.—At every Special Meeting of the Society ten Fellows shall form a quorum.



XXIV.—The Ordinary Meetings shall be held on the third Thursday of each month, from November to June inclusive in each year, or at such other times as the Council shall determine.

XXV.—At the Ordinary Meetings papers and communications shall be read and discussed ; but nothing relating to the regulations or management of the Society shall be brought forward.

XXVI.—Visitors to the Ordinary Meetings may be admitted, if introduced personally by Fellows, or by their written order, under such regulations as the Council may determine.

XXVII.—In all Meetings of the Council five shall be a quorum, and all questions shall be decided by show of hands, unless a ballot be demanded.

XXVIII.—The Accounts of the Society shall be from time to time examined by the Council, who shall present, and cause to be read to the Anniversary Meeting a complete statement thereof, together with a report on the general affairs of the Society during the preceding year.

XXIX.—The Council shall appoint any persons they deem fit to be salaried officers or clerks, for carrying on the necessary concerns of the Society ; and shall define the duties to be performed by them respectively, and shall allow to them respectively such salaries, gratuities, and privileges as the Council may deem proper ; and may suspend or discharge any officer or clerk from office whenever there shall seem to them occasion for so doing.

XXX.—The Council shall elect their own Chairman and Vice-Chairman to preside over their Meetings, and in the absence of both any Member of Council present may be elected to preside.

XXXI.—In all Meetings of the Society and Council, except in the cases otherwise provided for, the decision of a majority of the Fellows voting shall be considered as the decision of the Meeting, the President or Chairman having a casting vote only.

XXXII.—The Treasurer shall receive all moneys due to the Society, and on the order of the Council pay out of the moneys so received all charges on the Society's funds ; he shall keep a proper account of his receipts and payments. All cheques or orders on the Treasurer or his banker for the payment of any sum of money above £2 shall be signed at a Meeting of the Council by three Members thereof, or by two Members with the counter signature of the Secretary for the time being.

XXXIII.—At the last Ordinary Meeting in each session, the Fellows shall choose two Auditors, not of the Council, who, with one Auditor appointed by the Council, shall audit the Treasurer's accounts, and report thereon to the Society, which report shall be presented to the Anniversary Meeting.

XXXIV.—On a vacancy occurring in the office of President or other office of the Society, or in the Council, the Council shall have power to supply such vacancy until the following Anniversary Meeting.

XXXV.—Any Fellow of the Society who proposes to read a Paper at any Ordinary Meeting shall submit it for the approval of the Council, and shall state in writing whether such Paper has, in whole or in part, been previously read to any other Society, or publicly utilised in any form ; but it shall rest with the Council to determine whether a Paper shall be read or utilised by the Society.

# Royal Historical Society.

(INCORPORATED BY ROYAL CHARTER.)

## OFFICERS AND COUNCIL—1900–1901.

### Patron.

HER MAJESTY THE QUEEN.

### President.

A. W. WARD, Litt.D., LL.D.

### Vice-Presidents.

THE RIGHT HON. LORD ACTON, LL.D.

THE RIGHT HON. LORD AVEBURY, D.C.L., F.R.S.

HON. G. C. BRODRICK, D.C.L.

OSCAR BROWNING, M.A.

PROFESSOR MONTAGU BURROWS, M.A., F.S.A.

LORD EDMOND FITZMAURICE, M.P.

S. R. GARDINER, D.C.L., LL.D.

SIR MOUNTSTUART E. GRANT DUFF, G.C.S.I., F.R.S.

FREDERIC HARRISON, M.A.

THE RIGHT HON. W. E. H. LECKY, M.A., M.P.

H. E. MALDEN, M.A.

PROFESSOR H. F. PELHAM, President of Trinity College,  
Oxford.

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